

Exhibit C

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AFT MICHIGAN,

Plaintiff,

vs.

Case No. 17-cv-13292

Hon. Elizabeth A. Stafford

PROJECT VERITAS, ET AL.,

Defendants.

The Video Recorded Deposition of DAVID B. HECKER,
Taken at 150 West Jefferson Avenue, Suite 100
Detroit, Michigan,
Commencing at 10:06 a.m.,
Tuesday, October 15, 2019,
Before Leisa M. Pastor, CSR-3500, RPR, CRR.

AFT MICHIGAN vs PROJECT VERITAS, ET AL.
HECKER, DAVID 10/15/2019

Job 10221
2

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AFT MICHIGAN vs PROJECT VERITAS, ET AL.
HECKER, DAVID 10/15/2019

Job 10221
3

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AFT MICHIGAN vs PROJECT VERITAS, ET AL.
HECKER, DAVID 10/15/2019

Job 10221
4

TABLE OF CONTENTS

WITNESS PAGE

DAVID B. HECKER

EXAMINATION BY MR. MERSINO 7

EXHIBITS

EXHIBIT PAGE

(Exhibits attached to transcript.)

EXHIBIT 10 25

EXHIBIT 11 69

EXHIBIT 12 73

EXHIBIT 13 102

EXHIBIT 14 106

EXHIBIT 15 116

EXHIBIT 16 121

EXHIBIT 17 121

EXHIBIT 18 127

EXHIBIT 19 128

EXHIBIT 20 149

EXHIBIT 21 153

AFT MICHIGAN vs PROJECT VERITAS, ET AL.
HECKER, DAVID 10/15/2019

Job 10221
5

1	EXHIBIT 22	153
2	EXHIBIT 23	161
3	EXHIBIT 24	164
4	EXHIBIT 25	167
5	EXHIBIT 26	179
6	EXHIBIT 27	181
7	EXHIBIT 28	189
8	EXHIBIT 29	195
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

AFT MICHIGAN vs PROJECT VERITAS, ET AL.
HECKER, DAVID 10/15/2019

Job 10221
19

1 Q. Okay.

2 A. And then besides charters, there's -- we represent the
3 Taylor Credit Union.

4 Q. I'm sorry?

5 A. We represent the Taylor Credit Union, which would be a
6 private entity, other than that, they're all public.

7 Q. How many members are there of the credit union?

8 A. About 20 give or take.

9 Q. Can you kind of describe to me the -- I don't want to
10 say the pecking order, but if you had to list
11 president as the top of AFT Michigan, and then who's
12 underneath you as far as officers, if the masthead was
13 written out?

14 A. If the masthead was written out, it would be me, it
15 would be Edna Reeves, secretary/treasurer. I do need
16 to -- you didn't ask, but I'm just going to say, the
17 secretary/treasurer is not a -- is not a paid
18 position.

19 Q. Okay.

20 A. Okay? So you know.

21 And then as far as the officers go, then
22 it's the 22 we also call vice presidents, people serve
23 on our administrative board.

24 Q. And then as far as full-time employees of AFT
25 Michigan?

AFT MICHIGAN vs PROJECT VERITAS, ET AL.
HECKER, DAVID 10/15/2019

Job 10221
20

1 A. Right.

2 Q. Are there other -- are there any VPs or assistants to
3 yourself?

4 A. So I have an assistant to the president, yes.

5 Q. Do you have an administrative assistant?

6 A. No, just an assistant.

7 Q. Is that David -- is it Dobbie?

8 A. Yes.

9 Q. As president of AFT Michigan, was it ultimately your
10 decision to bring the lawsuit that we're here to
11 discuss today?

12 A. That and at the end of the day it would be my
13 decision, yes.

14 Q. Okay. Did anybody else have authority to make that
15 decision other than you?

16 A. No.

17 Q. Did you consult anybody else about that?

18 A. Yes.

19 Q. And who did you consult?

20 A. I'm, you know, and I'm -- I'm going to answer based on
21 non-memory, really, not specific memory of remembering
22 conversations, but a lawsuit like this where, you
23 know, I'm obviously going to talk to -- to Dave
24 Dobbie. He undoubtedly talked about it at some staff
25 meetings, certainly talked to Randi Weingarten and

1 David Strom about it, obviously our attorneys here.

2 Kept our ad. board up to date what was going on with
3 Project Veritas.

4 Q. You raise a point that you mentioned my attorney
5 sitting here, again, don't want to know anything you
6 discussed with them, but as president of AFT Michigan,
7 do you understand that Mr. -- and I'm asking this, I
8 don't know the answer.

9 A. Okay.

10 Q. Is it your understanding that both Mr. Cousens and
11 Ms. Rutter represent AFT Michigan in this lawsuit?

12 A. My understanding is that Mark Cousens represents AFT
13 Michigan and Jessica is providing tremendous and
14 helpful assistance with it because that's what unions
15 do.

16 Q. Did you talk to -- well, you mentioned you talked to
17 Randi -- was it Weingarten?

18 A. Yes.

19 Q. And David Strom about, you consulted with them about
20 bringing this lawsuit. They're both with AFT
21 National?

22 A. Yes.

23 Q. Other than of course talking to your VPs and your ad.
24 board, did you talk to any of your local unions about
25 whether or not to bring a lawsuit?

1 A. Well --

2 MR. COUSENS: Regarding the decision to
3 file?

4 MR. MERSINO: Yes.

5 MR. COUSENS: Okay.

6 A. The VPs are local leaders.

7 BY MR. MERSINO:

8 Q. Right.

9 A. Right. So we kept our ad. board up to -- up to speed
10 on everything, everything going on.

11 Q. Okay. Did you talk to any other organizations or
12 individuals around the country who had already started
13 lawsuits against Project Veritas?

14 MR. COUSENS: Regarding the decision to
15 file?

16 MR. MERSINO: We'll start there.

17 MR. COUSENS: Okay.

18 A. I don't recall that.

19 BY MR. MERSINO:

20 Q. Since you filed the lawsuit, have you talked to other
21 organizations or individuals around the country who
22 have started lawsuits or are involved in lawsuits
23 against Project Veritas?

24 A. I don't recall conversations like that.

25 Q. Did you ever talk to a woman named Lauren Windsor?

1 A. Not that I recall.

2 Q. Have you ever heard that name before?

3 A. No.

4 Q. What have your discussions been -- and I'll start with
5 before you filed the lawsuit and you're deciding
6 whether or not to bring the lawsuit, what were your
7 discussions with Randi Weingarten?

8 MR. COUSENS: Objection, relevance.

9 You may answer.

10 A. The discussions would have been is this strategy that
11 makes sense.

12 BY MR. MERSINO:

13 Q. Do you recall what her position was on that?

14 A. No, I do not. I will say that if she felt -- if she
15 felt this wasn't the right way to go, that would weigh
16 heavily on my decision making, but I do not recall the
17 specific conversation at all.

18 Q. Was she for bringing the lawsuit? Was she in favor of
19 it?

20 MR. COUSENS: Objection, relevance.

21 You may answer.

22 A. She's -- to the best of my recollection, yes, she's in
23 favor of bringing the lawsuit.

24 BY MR. MERSINO:

25 Q. Do you know if AFT Michigan -- excuse me, let me

1 rephrase that.

2 Do you know if AFT National has any
3 lawsuits against Project Veritas or ever has?

4 A. Not that I know of.

5 Q. Do you know of any other state federations that fall
6 within, underneath AFT National have ever had any
7 other lawsuits against Project Veritas?

8 A. Not that I know of.

9 Q. Do you know of any locals around the country that
10 have?

11 A. Lawsuit. Not that I remember or know of.

12 Q. Throughout today I'm going to be showing you some
13 exhibits. Some of them may already be marked from
14 yesterday from Mr. Mickles's deposition.

15 A. Okay.

16 Q. Some of them we'll mark today. Either way, as I hand
17 you some documents, we'll walk through some of them
18 and talk about some of them.

19 A. Okay.

20 MR. COUSENS: Where are you -- are you
21 using sequential numbering?

22 MR. MERSINO: Yes, I believe we're at 10?
23 So I'm going ask the court reporter, Leisa, next to us
24 here to mark this as Exhibit 10, and then she will
25 hand it to you and I will hand copies to your counsel.

1 A. Not to my knowledge.

2 BY MR. MERSINO:

3 Q. Do you know of anyone who sent her any messages saying
4 "you shouldn't come back"?

5 A. "You shouldn't come back" in like a threatening tone?

6 Q. Yes.

7 A. Not that I recall at all.

8 Q. Do you know of anyone, again, even if it's outside of
9 AFT Michigan who sent messages saying "we know who you
10 are and we know you're not who you said you were"?

11 A. I mean, did anyone say that to her directly? Not that
12 I recall.

13 Q. Asking you personally, David Hecker, president of AFT
14 of Michigan, what was your goal in filing the original
15 lawsuit against Project Veritas in September of 2017
16 or October of 2017?

17 MR. COUSENS: Objection, relevance, and the
18 complaint seeks specific relief, so the goals are
19 articulated in the complaint itself. Asking him to
20 speculate on how a court would view the complaint is
21 irrelevant.

22 I mean, you can answer to the best of your
23 ability.

24 BY MR. MERSINO:

25 Q. Well, let me clarify. I didn't ask you what he just

1 objected to, so I'm not asking you to speculate. I'm
2 not asking you what you thought a court might do. I'm
3 asking you, David Hecker, what was your purpose in
4 filing a lawsuit on behalf of AFT Michigan against
5 Project Veritas?

6 A. To have the lawsuit in -- in any way possible stop
7 Project Veritas from doing the kind of work that it --
8 it does, and to, as part of that, to compensate AFT
9 Michigan for -- for damages.

10 Q. Were you hoping to stop Project Veritas from being
11 able to publish any videos they may have had of AFT
12 Michigan?

13 A. The -- it's our firm belief that they did that in a
14 way that's a violation of the law, so yes.

15 Q. And prior to that question, you said you wanted to
16 stop them from doing the kind of work that they do.
17 Did you hope them -- did you hope to stop them from
18 doing future work of a similar kind?

19 MR. COUSENS: Well, objection to relevance.
20 The lawsuit -- the litigation speaks for itself, and
21 you're getting into areas which are completely
22 unrelated to this -- to this action. I'll let you go
23 a little ways with this and then I may tell him not to
24 answer any further questions.

25 BY MR. MERSINO:

1 Q. Do you want the question read back to you?

2 A. No. The number one thing was -- it was our recourse
3 against what Project Veritas did to us. That was a
4 number one goal. If the result of it was also in some
5 way slowing down or limiting what Project Veritas
6 does, that would have been a great outcome as well, or
7 will be a great outcome as well.

8 Q. So you mentioned, and I want to just use your words,
9 and if I misuse them, or if I use any words you didn't
10 use, you know, just let me know, but you mentioned
11 your recourse, AFT Michigan's recourse against Project
12 Veritas, and I believe you used the term being
13 compensated, or compensation for what was done.

14 A. Right.

15 Q. What do you believe AFT Michigan should -- how do you
16 believe AFT Michigan should be compensated?

17 A. Well, there was a great deal of time among staff, and
18 myself, dealing with all this, time taken away from
19 trying to advance and enhance public education, to try
20 to support the people who educate our -- our children,
21 young adults, and it was an inordinate amount of staff
22 time spent on this, and that staff time should be
23 compensated for.

24 Q. Now, when you say an inordinate amount of time was
25 used pertaining to this, that wasn't while Marisa was

1 Michigan staff."

2 Do you know who that counsel is that's
3 being referred to there?

4 A. AFT Michigan legal counsel were promptly engaged. AFT
5 Michigan legal counsel would be Mark.

6 Q. Do you know how it was discovered that Marisa was
7 using an assumed name?

8 A. No, I do not know.

9 Q. Do you know how it was discovered that she went to
10 Liberty University?

11 A. No.

12 Q. Do you know how it was discovered that she had links
13 to James O'Keefe and Project Veritas?

14 A. No.

15 Q. Do you know who would know how that was discovered?

16 A. If -- if someone from our shop knew, it would be Dave
17 Dobbie.

18 Q. Okay. If you look at the next bullet point, it says,
19 "After consultation with the officers of AFT Michigan,
20 and the AFT, a decision was made to pursue litigation
21 in state court against Marisa Jorge/Perez and Project
22 Veritas."

23 Who ultimately made the final decision to
24 file suit, was that AFT Michigan or AFT National?

25 A. Well, the suit is in the name of AFT Michigan, so AFT

1 Michigan, but it was really a joint decision.

2 Q. And you -- did you -- as far as AFT Michigan is
3 concerned, do you have final approval?

4 A. The lawsuits were brought by AFT Michigan, yes.

5 Q. Okay. Was Randi Weingarten involved in those
6 consultations with AFT National?

7 A. She would have been involved in those -- some of those
8 discussions.

9 Q. Was she involved with the decision to pursue
10 litigation?

11 A. I don't at all remember if I directly participated in
12 a conversation with Randi concerning -- concerning
13 that.

14 Q. And then the next line says, "The purpose of the
15 litigation is to prevent disclosure of any improperly
16 made tapes or confidential AFT Michigan documents that
17 were improperly obtained by Jorge and/or Project
18 Veritas."

19 Do you agree with that statement?

20 A. Yes.

21 Q. Go to the following page. Do you know who from AFT
22 Michigan was involved with or present at the hearing
23 at Judge Brian Sullivan's courtroom?

24 A. No, I don't.

25 Q. Were you present?

1 A. Not that I remember. Where is Judge Sullivan's court?

2 Q. Wayne County. Coleman Young.

3 A. Coleman Young Building, Wayne County Circuit. I don't
4 think so.

5 Q. To your knowledge, does anyone at AFT Michigan know
6 Judge Sullivan personally?

7 A. To my knowledge, no. I will say that if it's the same
8 Brian Sullivan 30 years ago, I was in a car accident
9 and he was an attorney, he wasn't a judge, and a
10 friend -- a friend said, you know, he'll give you
11 guidance and help you out. So if it's the same Brian
12 Sullivan, but that is the sole interaction I had with
13 a lawyer named Brian Sullivan. Put it that way.

14 Q. Okay. Did he represent you for that?

15 A. We didn't end up in court. I think, if I remember
16 correctly, I think it was just guidance and stuff. I
17 don't really fully remember.

18 Q. The last bullet point on the back page says, "AFT
19 Michigan and the AFT will use all resources at their
20 disposal to enforce this TRO and take other legal
21 action, including pursuing criminal charges, if
22 necessary."

23 A. Excuse me.

24 Q. What resources does AFT Michigan have at its disposal?

25 MR. COUSENS: Objection, relevance, but you

AFT MICHIGAN vs PROJECT VERITAS, ET AL.
HECKER, DAVID 10/15/2019

Job 10221
205

CERTIFICATE OF NOTARY

STATE OF MICHIGAN)

) SS

COUNTY OF MONROE)

I, LEISA PASTOR, certify that this
deposition was taken before me on the date
hereinbefore set forth; that the foregoing questions
and answers were recorded by me stenographically and
reduced to computer transcription; that this is a
true, full and correct transcript of my stenographic
notes so taken; and that I am not related to, nor of
counsel to, either party nor interested in the event
of this cause.

Leisa Pastor

LEISA PASTOR, CSR-3500, CRR,

Notary Public,

Monroe County, Michigan

My Commission expires: 9/7/20

DXEX10 4:14 24:24 25:2
183:19,25

DXEX11 4:15 69:12,15 74:1

DXEX12 4:16 73:10,14

DXEX13 4:17 102:3,6

DXEX14 4:18 106:7,10,11

DXEX15 4:19 116:25 117:3

DXEX16 4:20 121:4 122:1,2
126:7

DXEX17 4:21 121:14 122:2,6

DXEX18 4:22 127:4,7

DXEX19 4:23 128:15 131:23
139:20 147:21

DXEX20 4:24 149:16,19

DXEX21 4:25 153:7,24

DXEX22 5:1 153:7,20 154:5

DXEX23 5:2 161:12,16,17

DXEX24 5:3 164:14,17

DXEX25 5:4 167:13,17

DXEX26 5:5 179:4,7

DXEX27 5:6 181:21,25

DXEX28 5:7 189:3,7

DXEX29 5:8 195:3,6 198:7

\$

\$3 95:17,19

\$50,000 95:7,9

0

0000 73:16

0000180 189:8

0000189 69:16

0000410 161:21

003855 106:14

Oyour 10:6

1

1 26:1 162:1 164:21 166:18
183:13 184:15

10 24:22,24 25:2,22 54:25
67:25 68:16 182:10,11,12
183:9,19,25 185:15 187:3

10-story 84:4

10:06 6:3,6

10:30 25:3

11 58:5 69:12,15 73:7 74:1
133:6

11:17 60:23

11:28 68:25 69:2

11:39 69:13

11:40 69:3,5

11:44 73:11

12 73:10,14 74:25

12:12 94:9

12:21 102:4

12:26 106:8

12:30 8:11

12:31 110:16

12:34 113:16

12:38 116:12,14

13 30:15 102:3,6 187:3

14 32:9 106:7,11

15 6:2 34:9 116:25 117:3
188:16

15th 6:6

16 35:3 121:4,18 122:2 126:7

16-A 37:1

17 43:12 86:17 121:14 122:2,4,
6 159:24 162:14

17's 43:14

17-CV-13292 6:11

18 37:16 39:16 40:1 65:10
127:4,7 133:7 159:24 167:20
176:21 179:8 188:22

18th 102:12 169:21 176:9

19 40:2,8 128:15 131:23
139:20 147:21,22 176:21
177:3

190 73:18

1:14 116:15,17 117:1

1:19 121:5,15

1:25 127:5

1:27 128:16

1:33 133:1

1:34 132:24 133:2

1:35 133:4,20

1:36 133:21

1:48 134:20,21

1:59 143:3

2

2 26:18 184:24

2-A 185:8

2-C 185:15

2-D 185:24

20 11:7,15,18 19:8 129:15
149:16,19

2001 16:5

2016 31:4

2017 32:9,22 42:11,15,18
43:11 75:1 83:21,25 86:15
87:4 89:15,16 106:22 107:4
117:5,9 118:20 123:21 126:11
156:14 160:22 162:1 164:21
166:18 179:9 188:21,22

2018 31:2 50:21 59:11 60:3
102:20 104:19 127:11 129:15
159:23 176:17

2019 6:2,7 30:25 149:21
159:21

20th 139:23

21 153:7,8,24

21-22 153:3

22 19:22 41:14 42:9,20 44:14
153:7,20 154:5

23 161:12,17 183:3

24 44:20 164:14,17

25 45:21 167:13,17

26 46:18 179:4,7

27 47:10 121:18 126:11
181:21,25 186:12

27th 121:9

28 106:22 107:4 149:21 189:3,
7

28th 107:7

29 117:4,8 195:3,6 198:7

29th 69:23 73:23 118:9,18
153:9

2:02 146:8

2:06 149:17

2:11 152:15

2:30 152:17

2:31 153:4

2:32 152:19

2:42 161:13

2:46 164:15

2:49 167:14

2:52 171:1

2:53 170:24

2nd 121:20 122:2 123:20

3

30 59:13 193:8

30th 166:24

34 48:15

35 48:15

36 48:3 49:2,10 51:25

3:03 171:2

3:04 171:4

3:14 179:5

3:18 181:22

3:27 189:4

3:35 195:4

3:36 203:22

3:40 197:24 198:1

3:48 198:2,4

3:56 203:20

4

4 30:8 186:9 201:2

40 12:16 85:24

401(k) 181:6

43 52:8

44 53:25

4:00 203:23,25 204:8,10

5

5 28:10 30:9 188:21

5-4 54:24

5-minute 68:24

501(c)(3) 12:8

501(c)(3)s 12:4

54 54:23 56:3

6

60 57:25 58:8

7

7 199:17

70 14:20

72 58:2

7:30 199:18

8

8 48:3

83 15:19

86 15:20,21

8th 102:18 104:17

9

9 50:21 59:11 127:11 196:16,
17,24

96 13:22 15:25

99 65:11

9th 48:16

A

a.m. 6:3,6 25:3 60:23 68:25
69:2,3,5,13 73:11

ability 51:12 53:1,14 56:9 59:6
60:17 64:10 89:23 93:1 94:17
100:19 105:9 110:10 150:25

able 90:11 93:15 134:5,6
186:23 202:4

about 9:13 10:7 12:16 14:20
15:7,12 17:15,18 19:8 20:17,
24 21:1,19,24 24:18 29:24
32:20 33:10,23 35:18 38:4
40:11 41:4,6 42:13 44:9 46:10
50:23 58:23,24 60:3 61:8,23
64:12 65:1,8 70:12,14 74:11,
16 75:12,25 76:15 77:3 79:23
80:5,22 81:11,21 82:7,17,18,
20 84:2 86:13 87:13,18 88:1,
10 92:2,15 99:25 100:25
101:19 102:12,14 103:19
105:5,21,23 108:15 109:9
116:7 118:17 119:5 120:25
121:11 123:16 126:10 127:8
128:22 129:2,10,12 132:19
133:6 134:14 137:4 138:20
140:17 144:13 145:6,24
146:12,15,19 147:1,2,8 154:13
155:24 158:16 159:2,3 161:3
163:20 164:6 166:1 170:16
171:8,21 174:14 175:6 176:21
177:15 178:10 183:20,21,24
186:6 188:22 190:15 197:15
202:8

above 31:22 201:2

absolutely 34:23 61:17 71:11
102:13 117:19 119:25 124:17

abused 88:5,6,12

abusive 142:20

access 41:15,21 44:15,16
47:11,13 71:19,20 127:24
150:8 155:23 185:17,19
186:10 201:23

accessed 63:4,10

accessing 45:23 46:2,8,12,15

accident 193:8

accountability 130:3

accountable 132:1

accuracy 26:14 27:1,14
188:24

accurate 26:17 29:11 30:11,
18 32:25 34:17 37:22 44:24
45:24,25 46:21 49:10,18,20,
21,22 51:19 55:7 60:8 71:23
73:21 107:10 133:14 198:15

accusations 136:21

acknowledge 128:18

across 88:15 159:14

Act 111:10 144:20

acted 65:14

Acting 55:2

action 6:10 90:22 104:10
193:21

actionable 68:8

actions 65:25 66:11,21 75:12,
15,20 76:8 130:3

activism 200:14

activities 122:14,16

acts 65:15

actual 158:10,22 202:8

actually 30:12 49:18 53:4
60:7 81:4 88:15 130:24 147:25
156:21 172:6 183:5 190:20
198:11

ad 10:22 11:4 12:3 21:2,23
22:9

added 60:14 108:7 138:13

adding 109:9

additional 11:9 121:20

address 133:8 146:16

addressed 69:24 87:11

addresses 125:25

administrative 10:22 16:3
19:23 20:5

admission 25:20 182:5

admissions 26:21

adults 91:21

advance 91:19 154:10

advised 45:9

advisory 12:21,24

affiliated 48:10

afford 7:22

AFL-CIO 15:19,22,24

AFT 6:10 9:24 10:7,13,18
11:10,11 12:3,9 13:10,13,14,
16,18,21 15:25 16:1,4,8,9,12
17:6,8,9,19 18:3,11,15 19:11,
24 20:9 21:6,11,12,20 23:25
24:2,6 27:4 28:22,25 29:1
30:1,15,19 31:7 33:1 35:21
36:10,13 37:4 38:15 41:20
43:10 47:14,25 50:11 52:5,17,
24 53:4 55:10,16,19,25 58:16,
21 59:20 61:1,4,18,19 62:25
64:20,23 70:24 71:8,20 73:4
76:21,24 77:7,9 79:9 80:1
83:15 88:12,20 89:9,13 90:4,8,
11 91:11,15,16 92:7 93:5,10
94:13 96:22 97:9,13,16 98:11
101:11,16,18 102:12,25 103:2,
3,18 106:25 107:19 108:15
109:13 110:20 113:3,8,19
114:6,7,22,25 115:3,13,15,19,
22 117:6,7,17,18,20,22 118:9,
13,25 119:4,13,14,15,22
120:9,12,13,15,19 122:17
123:5 125:3,13 126:18,19
127:9,13,20,23 128:21,25
129:9,15 131:24,25 135:14,19,
20 137:19,23 138:5 141:7,9,
10,17 144:16 145:17,24
146:12,19 147:2,3,4,5 148:5
149:2,20 152:7 153:18 154:3,
11 156:11 160:4,14,21 161:3
162:15 165:15,16,20,22 166:5,
7,10,16,18,19 172:7,13 180:10
185:1,11,25 186:1 188:4,17,21
189:11 190:8,23,25 191:4,19,
20,24,25 192:2,4,6,16,21

193:5,18,19,24 194:19 195:14
197:7 200:3 202:8,12 203:9

AFT's 92:15 202:8

after 6:14 7:1 8:12 14:22 15:23
46:20,23 47:1 60:3,5 82:13
88:22 92:2 99:9 103:6,17,20
107:12 116:23 173:5 175:5
176:2 191:19

AFTMI 69:16 73:16 161:21
189:7

aftmichigan.org 122:9

AG 176:25 177:1

AG's 172:23 173:7,11,12,25
174:7,23 175:10,12 177:20

again 21:5 25:9 28:18 30:8,14
44:17 63:6,24 66:24 70:9
83:22 84:18 86:23 89:8 95:20
96:24 99:24 102:10 103:11
106:17 111:13 117:13 121:7
126:8 131:15 135:18 136:5
139:18 143:8 168:2 171:20
179:10 199:23 201:4

against 22:13,23 24:3,7 47:25
52:16 53:7 54:6,12,19 70:25
71:2 78:3,17 89:15 90:4 91:3,
11 98:13 103:2 108:16 137:1
191:21 197:7

age 131:9

agenda 154:10

ago 15:15 26:9 50:16,22 78:11
82:23 92:9,12 128:18 136:9
139:24 193:8

agree 27:14 30:11 32:19 62:1
69:25 70:18 72:1 73:22,25
74:6 98:15 108:22,23 109:1,3
113:11 117:5,8,20 122:8 127:9
129:14 136:17,20,25 137:8
138:14 149:23 161:23 164:24
188:3 189:8 192:19 195:25
199:7 202:1

Agreed 133:18

agreement 62:14 114:9,10,
14,23 115:4,11,18,21,22
181:8,14,16 188:4

agreements 114:25 115:8,16
116:1

ahead 17:7 28:12 68:18 88:8

93:9 99:13 145:2 148:7 169:7
aliases 200:16
all-staff 99:10
allegation 51:25
Allegations 59:25
alleged 65:25 186:11
allied 124:18,20,24 125:7
allies 124:9,12 169:12 179:20
allow 203:2
allowing 71:19,20 140:8
alluded 99:7
almost 43:15
alone 44:21 46:1
along 25:24 31:12 45:8 65:1
 84:12,13 85:8
already 22:12 24:13 30:6 60:6
 64:1 81:13 96:25 99:25 105:23
 121:18 128:12 144:16 176:25
 177:1
also 7:16 19:22 41:15 84:14
 91:4 121:12 134:5,6 139:6
 142:13 149:25 159:2 160:24
 188:11
Although 72:11 133:23
always 123:9 189:24
Alycia 85:2,3
ambush 123:2,15,17 124:2,4
amend 60:14
amended 26:3,10 27:10 28:21
 57:25 60:10 94:25 108:6
 186:12
amendments 108:2
American 12:13 13:2 16:10
 140:8
Amherst 14:8
among 44:3 52:23 61:9 91:17
 142:16
amount 41:16 91:21,24 92:10
 95:23 136:15 160:9,11 201:24
and/or 101:9 192:17
Ann 174:12,22 175:2
announced 162:13
anonymous 80:5
another 16:23 32:24 33:3
 41:4,9 73:6 75:11 95:16
 112:24,25 122:18,19 123:11
 137:6 142:22 163:8
answer 7:14,25 8:9 9:1,5,6,9
 20:20 21:8 23:9,21 28:18
 31:20 37:8 43:16 50:14 51:12,
 23 53:1,13 54:15,16,17 56:9,
 16 57:9,15 60:16 61:3 63:14,
 15 64:3,9 68:5 71:10 72:18
 77:1,14,22 78:20 79:2 81:18
 89:22 90:24 92:25 93:15,21,25
 94:2,3 97:5 100:16,18 103:12
 105:8 110:2,3,9 112:3,9,11,22
 113:10,21 120:22 123:8
 126:22,25 131:3,6,10,15,16
 132:13 138:24 140:16 142:24
 143:9,17 144:14 145:20 146:3,
 24 150:24 155:7 156:18,23
 157:5 158:1,4 159:6 164:9,10
 166:4,23 169:10 170:13
 178:16,23 185:6,13 187:18
 194:1,2,25
answered 92:12 97:1 99:12
 126:21
answering 70:9 184:16
answers 7:17 25:17,18 26:2,
 10,19
anti-public 154:10
any 8:5 9:11,13,16,18,22,24
 10:17 12:2,7,9,18 13:10 16:22
 20:2 21:24 22:11 24:2,5,6,9
 26:14,25 27:8 29:10,23 30:25
 31:4 32:7 35:11,16 36:6,10
 39:1 42:10,17,21 45:17 46:1
 47:21,25 49:17 53:2 54:4,8
 55:9,15,21,25 56:1 58:17 59:5
 64:20,23 65:6,23,24 66:4,11,
 12,17,21,23 67:9,12,15,17
 68:3,15,16 75:20 76:17,21
 77:7 78:25 80:4 86:16,22
 88:12,21 89:3 90:6,11,24 91:9
 92:7,17,18 93:9 94:12 95:8,18,
 22,25 96:1,9,18,19,21 97:8,14,
 16,17,21 98:7,20 99:2,3 100:8,
 13,25 101:5,6,11,15 103:7
 104:11,13,23 106:24 107:3
 108:13 109:8,13 110:20,23
 111:3,20,24 113:3,18 114:25
 115:25 117:11 118:21,23
 119:2,3,11 120:23 123:18
 124:22 126:10 130:6 131:11
 132:5 133:15 134:13,14 137:2,
 8 139:15 140:12 142:19 144:9
 145:23 146:10,18 147:7
 148:21 151:22 152:5 154:16,
 23 155:2,15,18 156:9,13,21
 159:3 160:14,18,20,24 161:7,8
 163:23 170:3,6,7,9,10 172:6
 177:9 178:8,10 180:3,10
 181:4,6 184:20 185:12,21,24
 186:3,17,20,23 187:6,10,11,
 17,23 188:3,21,23 190:1
 192:15 195:13 197:12 200:6
anybody 10:11 20:14,17
 27:12 36:10 47:16,18,19 83:5,
 15 101:15 103:9 172:7 177:9
anyhow 54:5 75:3 184:15
anyone 9:24 10:6 36:13 39:2
 55:19 76:19 80:20 88:20,21
 89:3,8,11 97:13,16 98:4,6,7
 100:13 101:16 104:25 105:16
 108:15 145:23 146:11,18
 147:3 156:9,11 157:3 163:12
 164:6 169:25 170:5,10 172:13
 177:20,25 178:9 179:25 180:8
 187:9 193:5 202:14,18 203:1
anyone's 79:7
anyplace 53:23
anything 9:15 21:5 37:4,10
 49:17 56:16 57:23 62:22 67:6,
 8,9,20 80:20 81:12 87:18,24
 88:10 98:4 110:22,24 114:8
 115:25 116:3 118:17 123:16
 134:14 135:1,2 138:8,20
 139:1,2,11,14,15,16 142:1
 143:24 161:3 166:19,21,24
 167:5 180:14 184:23 188:13
 190:11 201:9,21 202:8,18
anyway 198:24
anywhere 156:14 160:25
apart 53:22
apologize 71:6,7,13 79:14
 201:12
apparent 199:6,8 200:2
appears 73:22 117:4 149:20
 164:19 167:17 179:7 182:22
 186:14 197:4

applicable 95:7 109:17	around 8:11 22:12,21 24:9 38:21,22 70:4 75:7 83:21 84:15 163:7 167:24	50:7 76:22 77:8 114:12 163:23 170:11 180:4 200:3
application 59:23 172:21,22, 25 173:22	arranged 85:3	assistant 15:17,18 16:3 20:4, 5,6
apply 60:13 71:14 136:2,4	arrested 136:9	assistants 20:2
appreciate 171:23 180:22 194:14	articulated 89:19	assisted 26:1,19 30:13 78:2 167:9 183:13 184:16
apprehend 62:9	aside 9:18 10:6 121:11	assisting 25:17 26:9 27:9 164:6
approach 32:6	ask 7:13,17 8:7,8 9:15 11:15 13:4 19:16 24:23 25:7,9,22 29:21 30:11 31:10 36:1,4,6,10, 14,21 38:12 46:9 63:5 64:9 67:3 76:8,21 81:6 84:2 89:25 98:4,7 102:8,11 107:24 109:23 113:13 121:12 131:11 132:18 134:14 156:11 157:22 161:4 163:23 170:10 177:9,25 178:3, 6 184:11 187:13,21 197:15 198:12 201:19 203:16	assume 37:15 72:4
approached 32:23 33:1,24	asked 26:8 40:18 45:1 46:3 67:1 82:2,14 87:8 98:6 99:12 103:11 112:23 120:1 126:21 139:1 144:2 147:1 156:24 158:5 159:2,3 175:6 177:16, 21,23 178:13	assumed 191:7
approaching 32:7	asking 7:24 9:12 21:7 29:24 38:4 45:4,10 50:13 51:15 52:24 53:4,5 66:2,4 76:7 84:6 89:13,19 90:1,2,3 92:19,24 93:19 97:17 100:17 105:5,12, 13,14,16,21 107:16,20 109:18 111:13,19 112:3,5,17 137:22 138:22 141:2,17,20 142:13,18, 23 143:19 144:9,24 145:6,7 178:4 180:3	assumes 114:17
appropriate 119:25 141:4	asks 32:5	assure 88:10
approval 29:1,9 192:3	aspect 108:19	Attached 122:20
approved 126:15 129:17 150:1	asserted 34:12 53:7	attack 148:14
approving 117:11 127:16,18	asserting 52:11	attacker 128:1
are 6:5,8 7:14 9:7 10:21,24 11:7,9,12,16,23,24,25 13:1 16:14,17 17:24 18:1,12,22 19:7 20:2 22:6,22 24:20 31:6, 20,21 32:4 33:18 39:12 41:3 43:17 44:1 45:9 48:14,21 53:25 54:4,8 56:10 57:19 59:25 60:1 61:13,25 62:16,24 63:3,8,20 65:25 66:6 69:1,4,7 72:7,13,21,23,24 73:1 80:4 83:16 84:21 85:6,17,25 86:1 89:10,18 90:21 92:7 94:14,22 98:11 107:25 108:5,8 111:4, 24,25 112:20,25 113:24 114:2 116:13,16,20 117:17 122:20 126:1 127:22 128:24 130:21, 23 131:25 133:3,6,14 137:16, 19 138:2 141:1 142:16 143:17, 20 144:24 150:22 152:16,18, 21 157:25 160:12,14,20 161:7 165:25 170:25 171:3,18 176:21 182:11,15 184:4,5,9 185:10 186:5 187:3 194:8 197:25 198:3,13 203:14,17,21 204:8	attempted 95:13	
areas 90:21	assertions 29:7,9,10 198:13	attempting 174:1
aren't 47:2 83:16	assigned 188:7	attend 199:4
argument 51:13 59:22	assignment 32:24 40:10,12 187:11 188:6	attention 61:19 76:1 79:22,24 80:11 197:1
argumentative 51:11 60:18 131:3	assignments 188:7,14 199:3	attest 153:13 188:2
arise 133:15	assist 64:10 76:24	attorney 21:4 66:8 103:3 104:7 142:18 158:7,8 172:12, 14 173:20 174:23 175:14 176:24 177:10,17,25 178:9,25 193:9
	assistance 21:14 40:17 48:9	attorney's 29:8 94:1 112:23
		attorney-client 9:14
		attorneys 9:13,19 10:6 21:1 27:12 98:11 101:7,17 108:14 141:22 142:2 144:11 145:24 146:11,19
		attorneys' 95:7 144:19
		audio 101:21 152:5
		August 75:8 82:11 100:1 156:14
		authority 20:14 187:15
		authorized 187:8

available 56:17,20,21,23
 57:19,21 63:13,21 64:14,15
 67:13 68:3,4 111:17 185:19

avoid 130:2

aware 9:7 54:4,8 62:24 63:3,8
 80:4 98:11 107:25 108:5 163:6

away 91:18 99:14

awful 128:24

B

back 17:13 32:10 34:6,20
 36:25 43:23,24 49:2 50:15
 60:19 64:15 69:3,4 74:10 75:1,
 18 83:2 87:4 89:4,5 91:1 94:3,
 5 99:7 110:5,11 112:24 113:14
 116:15,16,19 124:24 133:2,3,
 21 134:3,17,21 137:4 140:1
 151:23 152:17,18 171:2,3,6
 174:12,25 175:3,7 178:24
 193:18 196:4,5 197:2,16
 198:2,3 201:12 203:23,24

background 17:15 73:2
 76:17 189:11 190:24 200:5,7

bad 144:17 145:10

Bailey 6:12

bargaining 41:10 58:13,24
 62:13 114:9,23 115:4,8,11
 116:1

base 44:11 138:14

based 20:20 51:23 52:1
 138:15 159:17 160:5

bases 143:16

basic 7:12

basically 125:24

basis 54:20 143:11 147:10
 155:15

Bates 69:16 196:1

bathroom 8:6

bears 189:7

became 190:9,12 199:6,8
 200:2

because 11:9 21:14 27:14
 47:19 50:4 62:17,21 64:21,24
 65:7 71:14 74:13 77:23 82:23

86:19 100:21 102:10 105:21
 107:9 109:15,21 111:8 112:15,
 17 113:24 114:17 123:10
 135:24 143:9 145:20 147:8
 155:20 174:11 201:1,24
 203:18

become 16:4 64:8 84:20,24
 85:5 174:1

becoming 34:13 35:18 88:15
 155:24

BEE 79:13

been 7:2,10 16:6 23:4,10 35:8
 38:15,18,21,22 40:1,3 42:3
 47:24,25 54:11 59:24 73:13
 75:10 76:1 81:5 86:19 91:6
 104:14 106:10 108:1,4 118:24
 119:15 122:21 124:17,21
 125:15 126:1 127:7 128:19
 132:9 137:1,9,20 145:4 149:19
 153:6,20,24 155:3 160:8
 161:15,16 164:17 167:16
 168:24 170:16 172:12 181:24,
 25 183:1 189:6 190:3,4 192:7

before 7:9,10,23 8:12 9:25
 23:2,5 25:10 28:24 29:2,4 31:4
 32:10 36:1 48:16 54:14,17
 60:1 71:19 93:13 94:6 97:19
 98:2,6 100:5,7 108:20 116:5
 126:15 131:10 145:4 155:3
 159:22 160:7 162:7,9 163:4,20
 168:16,17 169:21 173:6 175:4,
 22 176:2 182:7 189:21

began 82:13 201:16,19

beginning 134:17

behalf 28:25 55:2 90:4 98:12
 195:15

behavior 14:15

being 7:15 46:23 47:3 50:2,3
 61:3 69:8 90:10 91:12 98:22
 109:8 120:9 128:4 132:10
 133:10 139:16 142:19 153:15
 159:2 168:13 191:3

belief 49:24 50:9 56:5 90:13
 109:12 110:19

beliefs 66:4,6

believe 7:9 24:22 32:25 43:17
 44:23 45:24,25 46:21 48:23
 49:10,17 53:5 55:7 59:19
 60:25 67:25 71:23 72:7 81:2,4

88:12 91:12,15,16 92:7 93:10
 94:13 105:25 106:1,10 107:18,
 22 121:17 126:15 128:8
 129:12 135:22 136:4 138:8
 141:23 148:9,16,24 155:18,20
 157:19 158:21,24 164:21
 171:7 173:24 185:6 186:21
 188:5 198:14

believing 155:15

bell 34:25

below 35:3 71:4

benefit 40:25 119:22 120:2,9,
 12,13,14 135:25

benefits 181:4

Benson 167:18,25 168:4
 169:5,20,23 170:10 172:6

Benson's 172:5

besides 19:2

best 12:25 23:22 33:23 41:22
 51:12 53:1,13 56:9 59:2,3
 60:17 61:10,22 64:10 75:7
 82:12,16 89:22 93:1 94:16
 100:19 105:9 110:9 136:13
 150:24 174:4 185:7 188:9

bet 110:3

better 44:12 79:18 147:17

between 15:1,4,5 16:8,11
 51:2 70:5,8 107:24 114:2,3,4,
 6,10 115:11 156:14 174:16

beyond 40:10,12 160:16

big 147:20 165:11

bind 93:2

Binghamton 14:7

bit 9:11 30:4 41:19 48:3
 134:17 140:2 177:15 197:21
 202:6

block 70:19

board 10:22,24 11:2,4,9 12:3,
 21,24 19:23 21:2,24 22:9

boardroom 87:10

boards 12:8

body 159:10

both 8:1,2 14:1 15:21 18:15
 21:10,20 46:4 149:5

bottom 35:22 129:21 163:3
197:2

break 8:5,6,10 37:24 68:20,22,
23,24 69:7 106:3 116:10 196:4
197:21 203:17

Breaking 41:19

breaks 8:12

Brian 99:1 192:23 193:8,11,13

brief 195:9

briefly 14:11

bring 20:10 21:25 23:6 31:12
52:16,21 54:12,20 70:13

bringing 21:20 23:18,23
71:15 86:19 141:8 144:18

broad 174:5

broaden 84:19

brought 53:9 76:1 79:21
84:22 118:3 143:22 145:7,9,13
192:4

building 12:6 82:15,21 84:4
99:15,25 166:12 193:3 202:9,
10,14,21,24

bullet 71:4 154:7 190:6 191:18
193:18

bunch 15:13 43:1 77:3,19
86:4 129:7 175:21

Bureau 15:6

burned 67:17

business 46:20,24 47:1,2
85:14 86:2 96:22 122:14,16
145:8,10,11

busy 174:24

Butzel 6:9

buzz 203:1,4,5

buzzers 203:14

buzzes 203:13

bylaws 17:23

C

calculation 95:23

call 19:22 42:11 76:21 174:25

called 7:1 15:9 43:17 44:11
84:10 159:15

calls 135:15

came 15:25 74:17 75:11 76:14
79:24 80:11 84:13 88:15
100:22 157:6 199:11

Camino 77:2,9,11,16,18,23
78:2,9,15,23 79:5,9 165:4,5,
11,20,22,24 166:5,7,10,17,20
167:4,5

camp 44:11

campaign 162:5,6,16 163:5
169:12 172:5,8

campaigns 179:20

can 8:1 9:1,12,16 14:11 16:8,
10 17:19 19:9 25:23 27:18
29:21 32:19 33:18 34:20 41:14
43:9 45:8,13 48:13 50:14
51:12,16 52:9 53:1 54:15,23
56:9,12 60:16 62:22 63:4,9,14,
15 64:3,9,10,18 68:5,18,22
76:10 77:14,22 80:25 81:18
84:2 89:22 92:25 93:21,22
96:6 100:16,18 105:8 107:17
109:23,24 110:2,9,11 111:21
113:10,12 116:10 126:22
131:3,15 132:13 134:4,17
135:16 140:16 143:14 146:24
148:20 150:24 155:7 156:23
158:1,4 159:6 162:23 163:7
164:9,10 166:4 169:10 170:20
171:19 175:1,2 176:8 180:15
183:5,6 184:2 187:23 188:6
194:1,2 195:15 198:21 199:19,
20 201:7 202:6

can't 7:21 8:1 82:20,21 83:2
104:20 112:23 129:11 134:12
136:4 141:16 153:1 157:11
180:17

candidate 163:14 164:5,6
168:11,20,21,22 170:9 172:5,
6,8

cannot 104:20 143:9 157:11,
12 168:21 188:2

capable 142:19

capacity 96:1,19

caption 28:22 32:14 106:25
134:11

car 193:8 199:15

care 18:6 30:12 57:23 87:13

case 6:11 42:24 50:2,23,25
61:20 72:18 94:20 103:19,21
104:16 105:2,19,20 107:19,25
123:23 128:19 135:21,24
138:24 163:17 166:21 167:7
172:11 174:1 175:24 176:15

cases 110:23

casual 84:3

catalyst 201:10

catch 201:8

category 31:23

cause 58:10 65:24 66:11
141:8 145:25 146:13,20

caveat 9:16

CD 67:17

ceased 188:21

Celia 153:9,15,16,22 154:2

center 159:14

certain 39:8 47:8 63:18 75:23
108:1 113:9 160:9,11 200:25

certainly 20:25 40:2 47:4
79:22,23 92:11 134:3 201:7

certification 173:1

challenge 62:12

chamber 86:6

chance 25:15

change 29:16 56:16 74:3

changed 139:1,17

changes 57:15 60:12 70:16

charges 137:1 193:21

charter 18:18,19,21 37:18
40:15,16 41:25 44:10 188:11

charters 19:2 38:1

check 131:9,17 200:5,7

chief 17:21

children 59:8 84:17 85:21
91:20 154:13

circle 171:6

circuit 70:24 98:16,21 99:1 106:21 193:3 195:10,17	comment 129:11 163:21	concern 62:16 63:24 64:6 88:4 100:22 172:1
circumstance 38:18	commenting 129:2	concerned 123:24 134:5 140:12,17 145:13,16,18 183:24 192:3
circumstances 39:7 64:11 112:16	comments 130:21,23	concerning 17:13 41:24 171:13 192:12
City 136:1,2	commerce 86:6	concerns 170:3,6
civil 70:24 156:10 197:7	committed 131:25	concluded 204:10
claim 108:7,16 109:9 145:3	committee 12:20	concludes 204:7
clarification 30:9 176:16	committing 65:15	conclusion 93:2 110:2 111:13 131:11 135:16
clarify 53:3 89:25 118:6 147:1 171:16	common 109:18 115:20 129:9,11	conclusions 92:20
classroom 85:4 154:13,18 155:18,24	commonly 150:22	concoct 147:14
clear 8:13,20 39:10 50:4 183:6 196:11	commonsense 114:15	conduct 190:25
clearly 155:23,25 157:20 196:8	communication 32:16 52:14 157:18 158:21	confer 176:6
client 63:14	communications 65:14 153:17 157:24 187:7,25	conference 43:4
client's 145:11	community 84:15 86:3,6 124:9,12	conferences 41:18 42:9,10, 18,19,25 43:10
close 124:9,12 199:17	company 18:19,25	confidence 156:2
closely 162:16,19	compensate 90:8	confidential 41:16,17 42:9, 10,17,19 43:5,8,20,22 44:4 57:20 109:25 112:1 113:5,20 114:13 141:20 142:15 143:20 144:5,9 185:18 192:16
co 85:19	compensated 91:13,16,23	confidentiality 115:1,17,23 116:4 181:14
co-chaired 84:18	compensating 74:19	confirm 37:5 72:24 201:7
coalition 84:16 85:21 86:16	compensation 91:13 180:10, 13,20 181:1	confronted 123:1,15
cochair 12:19	complaint 26:3,10 27:10 28:21 29:19 45:10,16 50:21 57:25 59:13,22 60:11,14 62:21 70:24 71:1 89:18,19,20 94:25 95:3 106:20 107:10,18 108:1, 2,6,8,10,20 186:12 197:7	confused 64:8 177:5
code 202:20	complaints 108:3	Congress 96:14
Coleman 193:2,3	complete 185:6	connected 33:14
colleagues 9:25	completely 60:14 90:21 157:19	conservative 140:9
collective 62:13 114:9,22 115:4,8,11 116:1	Computations 92:20	consider 13:13 32:5
college 14:4,6,21 31:21,25	compute 94:22	consideration 53:20
color 200:23,24	computer 44:22 45:1 47:11, 14 150:18 151:1,4,7,9,14,17, 20 171:9 186:10 201:22	considered 52:24,25 59:24 92:22 199:5
Columbia 54:2,6	computers 150:9,12,13 151:4 186:21,25	consistent 122:3
combat 163:24 164:7	conceivably 142:9 143:10 161:3	constitution 17:23 65:16,23 66:9,12
come 33:21 34:6 43:1,21 44:3, 4 58:18 61:18 72:12 82:14,20, 21,25 83:2 84:11 89:4,5 95:23 128:24 157:9 165:14 196:4,5 201:16 203:2		consult 20:17,19
comes 61:19 74:14		

consultation 52:22 191:19	134:24 149:9 154:3 161:19	56:7,19 59:21 60:8 62:7 63:5,
consultations 192:6	162:8 169:2 179:16 184:18	11,15,17,24 64:4 65:3 66:1,6,
consulted 21:19 26:2,19	correctly 85:13,19 193:16	13,14,24 68:5 70:6 71:9 72:4
27:11 103:7,9 183:14	199:18	73:7 76:6,25 77:13,21 78:4,6,
contact 58:18 77:2 158:10	cost 136:15 147:8,12	18 79:1,13 80:14,16 81:16
174:7,8	costs 94:15 95:7,12	83:4,22 88:25 89:17 90:19
contacted 124:10,13 174:9	could 7:7 11:17,19 12:12	92:19 93:12,17 96:5,11,24
177:21	13:23 14:13 15:2 30:5,8 42:8	97:3,19,22,25 99:12 100:16
contemporaneous 63:19	47:24 60:19 75:10 81:10,19	101:8,20 103:4,9,20,23 104:4,
content 159:3	87:10 92:10 94:5 100:1 110:3,	7,9,17,19 105:3,8 106:3 107:6,
context 12:16 48:7 49:20,21,	4 111:5,23 113:14,21 133:22	9,14 108:18 109:15 110:6,9
23 50:1 56:8 106:1 137:18	134:18 139:20 142:10,25	111:7,16 112:2,8,12,15,20
138:11 165:25	145:5,25 146:5,13 147:14	113:6 115:3 117:23 118:2
continue 32:10 45:8,18	151:14 153:25 155:24 160:8	119:5,9 120:2,20 121:19,23,25
152:21 156:2	161:2 176:7,8 182:10 187:16	123:7,18 126:21 131:2,14,16
continuously 16:6	201:12,20 203:18	132:12,21 133:13,19,22 134:2
contract 18:24 116:7 188:3	couldn't 47:7	135:3,15 137:10,22 140:15,24
contracts 113:9,25 114:2	council 12:17 168:15	141:10,13,18 142:5,8,12,15
contractual 113:3,7,18	counsel 6:13 8:23 17:17	143:8,13,15,18 144:4,25
contradiction 43:5	24:25 26:5,23 52:23 53:2	145:3,12,19 146:2,22 149:10
contributions 45:12	101:6 109:9 142:17 190:23	150:19 151:8 152:12,21 155:5
control 201:25 202:3	191:2,4,5 204:12	156:17,23 157:4,18 158:2,4,20
convention 11:8,10,16	counter 123:12	159:6 160:1,23 161:2,15
conversation 23:17 48:7,14	country 22:12,21 24:9	162:18 163:25 164:8,11
49:3 51:1,6,9,20 82:6,8 103:12	County 98:16,21 99:1 193:2,3	165:25 166:4 168:6 169:6,9
128:13 135:10,12 147:7 157:7,	195:10,17 201:7	170:12,20 171:16,25 172:19,
9 173:6 175:25 178:9,17,18	couple 12:4 32:14 84:21	21,25 173:4,18 174:13,16
192:12	107:12 138:23 179:19	175:16 176:16,22 177:1,4
conversations 9:13,18 17:16	course 21:23 27:12 122:14,15	180:12,15 182:11,17,20
20:22 22:24 40:22 41:6 42:23	143:15 147:12 149:12 163:2	183:18,23 184:2,8,10,13
53:2 101:6,18 103:18 120:23	171:19 172:10	193:25 194:3,10,21,23 195:16,
141:21 142:18 146:18 173:10	court 6:14,23 24:23 54:1,2,9	23 196:1,7,12 200:20,22,25
174:16 175:10	59:24 60:1 70:24 89:20 90:2	204:5
cooperation 204:3	92:22 94:19 98:17,20,21 99:2	Cousens' 60:20 94:6
coordinate 190:24	102:24 106:21 108:21 140:25	Cousins 176:6
copies 24:25 182:16	141:15,16 143:23 145:4,14	cover 198:18
copy 107:10 121:20 187:9,11	155:6 156:2 159:14 171:22	covered 62:13
copying 188:1	172:24 173:3,23 191:21 193:1,	covertly 150:9
corner 67:18 106:13	15 195:11,17 198:10	crack 142:22
corners 67:19	courthouse 99:3	created 189:23
correct 51:3 99:8 104:8	courtroom 192:23	credibility 144:15
106:11 107:8 115:1 118:19	courts 95:20	credit 19:3,5,7
	Cousens 6:20 21:10,12 22:2,	crime 158:22
	5,14,17 23:8,20 24:20 28:14	criminal 65:15 156:10 160:20,
	33:17 38:17,20 39:10 45:8	25 193:21
	46:4,7 49:5 50:12 51:7,10,15	criminally 156:4,7,8
	52:20 53:8 54:14,16,24 55:11	criticized 135:21,23
		crucial 140:7

curious 40:11 42:21 57:15
95:8
currently 10:12
cursory 200:4,7
customary 46:20,23 47:1,2
cycle 122:24 123:4,6,9

D

damages 90:9 92:7,21 93:6,
10 94:12 95:6,17
Dan 26:24 27:3,6
Dana 172:8,9,12 173:20
178:17
Dana's 178:14,15
data 187:11
database 41:22,23 42:1,3,7
43:23 44:9
databases 27:7 41:17,20
date 21:2 71:1 83:12 112:25
167:21 188:18,19
dated 69:23 73:23 102:18
117:4,8 118:9 126:11 127:9,11
129:15 149:21 153:8 162:1
164:21 167:20
dates 156:19 188:17
Dave 20:23 26:6,24 33:23 34:3
35:6,8,9,17 69:20 70:9,12,14,
15 73:23 75:10,11 79:18,19,21
82:2,3 87:8 100:20 125:8
191:16
David 6:7,25 7:8 17:17 20:7
21:1,19 26:5,23 33:15,21
69:24,25 75:5 79:12,17 83:24
89:13 90:3 122:8 142:3 143:5
148:5 153:11 164:20 178:8
197:4
day 20:12 28:4 92:3 107:12
127:20,23 128:25
days 107:12
deal 91:17
dealing 42:5 91:18 92:2,4
170:11
deals 27:6 95:3 110:22

dealt 40:2 167:25
dean 168:16
debate 195:13
deceive 148:13,17
deceives 148:24
December 121:9 126:11
deceptions 130:2
deciding 23:5
decision 20:10,13,15 22:2,14
23:16 35:19,21 52:16,21 53:11
81:1,3 191:20,23 192:1,9
decisions 141:20 142:16
deeply 71:22
defamed 52:12
Defendant 25:18 32:20 34:9
35:4 37:1 40:9 41:15 44:21
46:18 47:11 48:6 49:3 53:7
55:2,3 72:5 182:3 184:6 186:9
187:8
Defendants 6:17,19 65:14,24
Defendants' 28:10
defends 149:2
define 13:4 96:6 144:2 180:15
defining 39:12
definitely 9:15
definition 109:16 131:8,9,18
135:18 150:17 199:10
degree 14:8
degrees 14:14
delays 130:4,19
deliberate 134:3
deliberately 62:18 148:13
demand 28:21 58:1 97:8
106:20 107:18
demanded 97:13
Democrats 86:3
denial 102:25
denied 60:4,5 103:6,17
136:21

department 153:17
depending 31:8
deploying 130:2
depose 141:16
deposed 7:10 10:7
deposition 6:7,8 8:25 9:20,25
10:1,4 24:14 30:9 69:15
112:24 153:7 179:7 189:7
204:8,10
depositions 8:23,24
deputy 173:17
describe 17:4,19,21 19:9 76:8
86:5 92:24 109:18
describing 64:11
description 51:19 133:14
147:5
designed 70:18
desk 56:12,24 203:13
details 34:7 39:4
determine 64:22 79:20
Detroit 6:1,9 15:22,24 56:24
57:24 84:17 85:21 86:5 114:3,
4 140:4 179:16,18
develops 59:1
devious 148:14
diced 132:6
dicing 132:2
did 9:19,22,24 10:3,6 15:8
16:4 20:14,17,19 21:16,24
22:11,25 26:12,13 30:25 31:2,
4 33:10,14,15,21 35:16,24
36:1,4,6,7,10 37:4 39:21 40:12
41:11 45:10 46:15 47:7,19
48:7 49:23 50:1,10 51:1 52:4,
18 59:10 60:13 71:7,13,14,18
72:1 74:3,7,9,12 75:5,9,24
76:3,4,17,19,21,24 77:18 78:9,
15,23 79:5,12,17,19 80:7,12
81:1,2,8,21,24 83:18,20,24
84:13 86:21 87:6,17,22 88:16
89:11 90:13,17 91:3 95:22
97:8 98:4,7,20 99:2,16 100:20,
24 101:5,11 102:11 103:24
117:11 118:14,21 123:22
124:5,16 125:13,18 127:16

136:5 145:23 146:10,18
148:19,20 154:20 155:15,18,
23 157:1,3,9 158:18 159:4
160:4,18 162:13,15,23,25
163:10,12,23 164:5 165:14,20,
22 167:23 169:4 170:5,9
171:23,24 172:18 173:10,12
174:3,7,10 175:14 177:9,25
178:5,22,25 179:17 180:6,10,
21 181:4,8,10,14,16 184:12
186:17,21 187:13 188:3,5
192:2 193:14 197:11 201:14

didn't 19:16 29:14 30:2 32:8
33:11,13 37:10 38:8 68:12
74:21 81:8 82:2 83:8 87:14
89:25 91:9 97:15 144:25
147:13 171:18 174:24 178:3,
16 193:15 199:15 203:3

died 200:23

different 26:8 32:15 44:11
116:2 121:7 183:2

differently 201:6

difficulty 133:24

dig 77:9

direct 100:24 101:5 120:13,14
157:3

directed 57:2 59:23 82:4
157:6

directing 80:20

directions 187:7,24

directly 89:11 163:18 175:14
179:1 192:11

director 18:4

Directory 15:10

discern 186:17,23

discerned 186:14,19,20

discipline 58:14

disclosed 58:22 59:10 195:18
200:15

disclosure 58:10 192:15

discover 77:6

discovered 191:6,9,12,15
200:9,11

discovering 87:20

discovery 97:24 130:5,14
141:5,24

discredited 127:25

discuss 20:11 34:6 45:10
99:17 103:12 123:22 141:2
160:15 164:5 174:3

discussed 21:6 30:6 50:2,3
63:9 99:11 100:15 120:17
121:1 123:22 139:5 142:1
163:17 167:25 174:5 185:9
190:12,16

discussing 32:12 44:15 62:2,
5,24 102:15 103:21 119:24
120:11 123:16 126:19 169:20
180:7 185:10

discussion 9:6 49:14,15 82:7
126:10,12,13 178:25

discussions 23:4,7,10
108:13 109:8 120:17 143:19
144:13 145:23 146:4,10
158:18 192:8

dismissed 108:20 109:2,4
145:4

disparage 130:22

disparaged 104:11,14
135:14,19

disparaging 131:1,8,10,18

disposal 193:20,24

dispossessed 55:19,25

dispute 195:13

disrupted 122:24

dissemination 117:24

distort 50:10 138:6

distorted 48:8 50:6 51:6,25
104:12,24 105:1,17,25 106:2
138:9 139:16

distorting 52:12

district 54:1,5 102:24,25
135:25 136:4,11

Diversity 168:15

Dobbie 20:7,24 26:6,24 33:23
34:4 35:7,9,10 69:20,25 70:6,8
73:23 79:12,17,19 82:2 100:9,
10,14,18,20,24 101:17 122:8
125:8 191:17

Doby 69:24

doctored 52:13

document 25:10,11 28:17,24
29:2 34:8 36:25 55:13,16,17
56:5,13 58:2 69:17 73:6,20
101:25 102:9,14 106:14,16
116:23 126:7 139:14 149:14
150:15,20 155:6 162:25 166:1
171:10,12 179:9,17 181:24
182:7 183:1 187:20 189:13,15,
17,21,23 190:2,3 195:15,16
198:6,10,17 201:9,13 202:7

documents 9:22 24:17 25:5,
19 26:22 27:17 29:10,20 55:3,
9,18,20,21 56:4,10,17 57:11,
12,16,17,20 60:6 63:20 65:1
68:1,4,7,15 98:7,8 111:3,5,21,
25 113:4,20 114:13 119:3
121:7 122:20 139:6,8,11,16,18
150:9,14 160:14 171:8,17,22
182:4 185:19 192:16

dodged 130:10

dodging 130:4,7

DOE 79:13

dollar 92:10 95:9,14,19

dollars 94:20

doubt 26:12,13,14,17,25
34:25 47:19 106:18,24 107:3
124:21 136:5 160:19 165:2
167:23 168:2 182:9 184:20,21
189:18 197:12

doubts 75:13,15,21 76:3
79:24 82:13,24

down 7:17 8:1 27:16,25 37:25
41:19 71:4 74:9 91:5 94:16
101:13 104:2 124:7 129:20
133:9 138:23 139:3,4 147:14
175:22 189:24

DPS 85:2 114:7

Dr 14:18

draft 45:11 70:2,5,18 74:10
154:1 189:17,19 195:19 196:9
198:10

drafted 126:13 153:22 189:15

drafter 45:16

drafting 26:2,10,20 27:9,10
30:2 117:11,13 127:16 183:14,

21
drafts 70:10,14,15
drastically 197:22
draw 92:20 197:1
drive 199:19
driver's 36:19
drives 31:18
driving 199:22
dues 194:13,16
Duggan 179:8,11,13,15,22
180:3,8
duly 7:2
duplicate 183:23
during 30:17 42:11,18 43:11
86:15
duties 13:18 17:20,21 18:7,9
duty 36:13

E

e-mail 69:21 168:3
earlier 104:6 139:5 147:16
171:7 184:7,12 190:12,16
ears 163:9 169:14 179:21
ease 32:16
ECF 58:2
ecstatic 182:24
edited 48:6 49:3,13 50:4
128:12 132:10 137:6,7,9,19
Edna 11:7 19:15
educate 59:8 91:20
educated 44:17
education 14:3 74:16 85:16
86:3 91:19 96:4,19 127:24
148:15 188:12
educational 14:1 96:10
educator 62:6,25 63:2,4,9
educators 37:19 38:9,16 39:1
104:10,13 128:2 175:21
effect 147:17

effective 59:2
efforts 79:19
eight 136:9
eighties 15:24
either 8:19 24:16 57:19 65:6
83:9 100:9 101:7,16 104:14
105:1,17 117:20 119:2,13,23
124:13 131:4,21 148:16
154:17 159:24 180:4,7 201:17
elected 11:8,10,12,16 96:14
162:10,24 163:20 168:25
170:16 172:12
election 176:22
eliciting 154:13
Elizabeth 164:20 165:3,14
166:17
elongated 136:14
else 10:11 11:4 20:14,17
27:12 29:13,15 35:1 37:11
47:18,19 53:22,23 62:22 85:23
88:21 105:22 108:15 124:25
136:2 143:24 153:25 163:8
187:9 202:14
else's 57:1
elsewhere 57:21
email 69:19,20,23 73:22
122:2,4,6,8,13,19 124:8 125:6,
7,11,19,25 153:8,12,15 161:23
163:3,10 164:20 165:1 167:17,
22,24 168:19 169:4,20,22,23
170:2 179:8,10,23 180:1
196:25 197:4,10,13
emails 122:17,18 125:2 126:1,
3 172:4
embattled 140:10
emergency 103:1
employed 47:12 186:11
employee 13:13,16 27:4
181:10,11,12,13
employees 18:13,19,22 19:24
33:8 36:17,20 41:25 44:22
45:2,22 47:14 56:1 58:15
64:12 73:4 88:13,14 101:12,18
150:10 154:15
employees' 57:4

employer 114:3 115:5,12
employers 115:23
end 20:12 28:4 38:2 42:15
75:3,8 76:4 82:11 87:4 100:1
112:24 190:8 193:15 200:1
ended 83:13 199:18
ending 82:17,19 188:19
enforce 193:20 194:5
enforcement 156:14,25
157:1,3,13,17,19 158:11,13,
19,21 159:5,18
engage 166:5
engaged 17:24 37:20 38:10
40:9 190:24 191:4 198:25
199:2
engaging 96:21
engineering 130:4,18
enhance 91:19
enough 184:8,10 202:5
ensure 104:10
entire 51:1 109:21 138:3
entirety 37:24 132:10 152:3
entities 16:18
entitled 6:10 143:24
entity 19:6
equivalent 143:24
especially 88:5
essentially 118:11 147:17
etcetera 16:19,20 25:14 73:3
75:24 85:18 203:14
even 7:24 15:14 53:22 57:7
89:8 111:14 155:8 175:25
evening 46:19
ever 7:10 22:25 23:2 24:3,6
25:7,10,17 36:23 38:15,18
40:20,23 45:1,5 46:15 47:7
51:1 55:19 77:18 78:2,9,15,24
79:12,19 80:7 81:7 82:14 83:2,
15,18 95:13,22 97:8,13 99:2
119:6 120:16 124:4 126:18,19
130:7 136:4,5 137:14,19,23
139:18 151:6,13,16,19,22
156:21 163:23 164:5 170:6

175:14 177:25 178:5,22,25
180:3,7 181:8,10,12,14,16
182:7 188:13 189:20 202:20,
23
every 125:20 127:20,23
128:25
everyone 87:16 114:16,17
everything 22:10 25:13 29:4
74:20 133:10 148:19 162:23
evidence 142:10 154:16,23
ex-parte 195:7
exact 25:11 135:18
exactly 64:16 95:12 190:17
exaggeration 128:25 129:1
EXAMINATION 7:5
examined 7:4
example 94:19
exceeded 187:14
excellent 25:15 70:16
excess 95:7
exchange 153:12
excluding 53:1
excuse 9:2 23:25 26:22 58:8
69:24 102:24 121:19 125:13
126:18 153:8 160:4 161:15
174:11 193:23
exec 12:17
executive 12:20 17:21
exhaust 45:13 157:22
exhibit 24:24 25:2 28:10 30:9
68:18 69:10,12,15 73:10,14
74:1 102:3,6 106:7,10 116:25
117:3 121:4,14 122:1,2,6
126:7 127:4,7 128:15 131:23
139:20 147:21 149:16,19
153:7,19,20,24 154:5 161:12,
16 164:14,17 167:13,17 179:4,
7 181:21,25 183:19,23,25
189:3,7 195:3,6 196:16,24
198:7
exhibits 24:13 152:23 153:3
exist 17:2,25
existing 60:15

exists 92:25 154:25
exit 65:9
expense 180:25
experience 14:1,2 31:13
84:13,20,23 154:18
experienced 199:24
experiences 73:3
expert 93:18
expertise 137:11
explain 8:24 142:9
explaining 50:23
exploited 150:5,8
exploring 39:15
exposed 199:4
extent 76:9 134:4 135:3,5
eyes 163:9 169:14 179:21

F

Facebook 125:10,14
fact 29:14 92:2 93:2,5 125:14
147:13 153:23 181:2 186:17
factor 53:15
factory 84:11
facts 29:13 60:12,14 66:2,11
104:15 105:2,18,20 120:11
189:25
factual 29:9,10,12 131:1
factually 131:6
faculty 114:5
fail 62:9
fair 9:22 29:6 51:23 182:10
184:8,10 196:10
fairly 38:23 39:18
faith 144:16,17 145:10
fall 24:5 147:5
false 37:2,3 48:8 50:6,11 51:5
52:1
falsely 104:11,14 135:14

familiar 34:14,24 43:17 44:12,
13 48:21 67:23 86:14 108:8
family 71:20 154:14
fan 147:18
favor 23:18,23
February 13:22 153:8
fed 12:21 16:17
federal 140:7 157:17 158:14,
15,16
federation 12:13,24 13:2
16:10,14 38:18 114:3 140:8
199:5 201:24 202:2
federation's 38:21
federations 17:2 24:5
fee 194:11
feel 45:18 82:6 118:11 195:12
fees 95:8 144:19 194:8
felt 23:14,15 41:5 88:4
few-minute 197:21
figure 43:9 59:1 61:10,22
94:15,16 95:9,11,13,14,19,20
202:4
file 22:3,15 136:3 191:24
filed 22:20 23:5 28:22,24 29:2,
5 53:23 60:2 70:24 71:2 98:12,
16 100:6,7 106:20 107:4,6,19
108:6,7 113:24 137:1 141:1,19
160:7 171:22 186:5 195:10,14,
16,19,20 196:8 198:10 201:1,
5,7
files 45:23 46:2,9,12,16 56:18
124:25 185:18 197:7
filing 53:15 58:2 89:14 90:4
97:19 98:2,6 195:9
filings 25:13 29:7
final 29:1,9 170:2 191:23
192:3
financial 140:10,13,22 141:8
142:3 143:6 146:1,14,21
find 11:17 75:9 80:24,25 87:5
112:25 144:17
finding 76:5 88:22

<p>fine 16:21 25:8 29:17 30:3 35:25 45:14 46:7 49:6 87:16 88:1 167:1 168:24 175:8 196:12</p> <p>finish 7:23 8:9 64:4 78:12 143:14</p> <p>firing 18:1</p> <p>firm 90:13 122:21</p> <p>first 7:2 14:3,4 16:1 25:23 33:21 38:21 46:25 47:10 56:25 57:6 60:4 70:23 75:6 88:9 102:22 107:24 108:5,6 117:21 119:18 122:6,20,24 123:3,4,5, 9 125:13 126:20 140:4 142:21 147:1 148:3,4,11 150:3 163:25 169:16 175:19,20 182:12,13 183:3 188:18 190:20</p> <p>firsthand 149:8</p> <p>five 30:22</p> <p>Florida 54:2,9</p> <p>flowing 94:4</p> <p>focus 17:24 57:10 66:16 134:23</p> <p>FOIA 64:13,18 111:12,15</p> <p>follow 17:24</p> <p>following 103:4 192:21</p> <p>follows 7:4 60:24 94:10 110:17 113:17 143:3 146:9</p> <p>force 112:22</p> <p>forgotten 50:16</p> <p>form 33:17 36:6,11 55:11 62:8 63:11 66:25 76:7 96:6,25 111:8 113:7 160:1,24 162:19 180:12 194:10</p> <p>Fortz 6:12</p> <p>forward 13:5,24 14:2 48:3 52:8</p> <p>forwarded 33:25 34:2 74:10 187:9</p> <p>forwarding 188:1</p> <p>found 75:23,25 80:21 82:10 87:8 97:7 99:10</p> <p>foundation 12:6 86:11,13,14 87:1</p>	<p>founded 165:9</p> <p>fourth 198:22 201:13</p> <p>frame 70:4 75:2,23 167:24</p> <p>frames 74:13</p> <p>Frank 159:16</p> <p>frankly 29:20 145:7</p> <p>Fred 159:17</p> <p>free 45:18 56:24 57:24 118:11 195:12</p> <p>Freedom 111:9</p> <p>frequently 201:17</p> <p>Friday 69:23 73:23 124:9 153:9</p> <p>friend 193:10</p> <p>friends 88:15,17 169:12</p> <p>front 36:25 121:22 158:5 187:21</p> <p>full 49:14,15 50:2,24 51:6,9 99:16 135:10,12 150:3</p> <p>full-time 19:24 168:22</p> <p>fully 193:17</p> <p>function 33:24</p> <p>fund 12:5</p> <p>funds 194:6</p> <p>Funny 111:14</p> <p>further 90:24 190:11 204:1</p> <p>future 74:24 84:16,17 85:21 90:18</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>G-U-R-E-W-I-T-Z 158:8</p> <p>gather 140:8 199:3</p> <p>gave 29:14 37:8,9 47:16 56:16 79:24 85:9 117:16 151:6,8,13, 16,19 199:25</p> <p>general 17:17 31:20,23 70:14 77:4 166:1 172:13 175:14 176:24 177:10,15,17 179:1 180:19 188:12</p> <p>general's 172:14 177:10,25</p>	<p>178:10</p> <p>generally 17:17 31:6,21 34:5 36:21 39:5 175:12 178:1 185:18</p> <p>gentleman 62:10 136:9</p> <p>George 14:5</p> <p>girlfriend 39:9,19,20</p> <p>give 9:8 19:8 51:16 72:17 84:8,19 104:20 107:23 112:18 135:17 148:6 155:10 178:16, 22 193:10 198:15</p> <p>given 75:12 98:18 121:10 126:3 181:12 186:22 187:1,11 199:2</p> <p>giving 25:17 75:15 77:7 84:12</p> <p>goal 87:20,22 88:3,4 89:14 91:4 155:25</p> <p>goals 89:18</p> <p>good 6:5 12:5 48:15 83:6 116:9 122:10 123:9 144:15 145:10 155:25 177:6,7 189:24</p> <p>gotcha 127:22</p> <p>governor 162:6,7,11,14,22 163:12,17,20 164:3</p> <p>governor's 163:24</p> <p>grab 28:3</p> <p>grad 31:22</p> <p>grade 34:15,22 74:15 84:21, 25 85:4 154:12,17 155:17</p> <p>graduated 14:6,19</p> <p>graduation 13:24</p> <p>Granholm's 173:20</p> <p>Grant 95:6,16</p> <p>granted 41:15,21 44:14,16</p> <p>grass 86:5,7,9,10</p> <p>great 68:9 77:23 91:6,7,17</p> <p>Gretchen 162:16,22</p> <p>grievance 61:8,19 62:2,5,11, 12,21 111:11,25 113:4,20 114:12</p> <p>grievances 41:18 58:13,23 110:23 111:3,4,6,20,21 113:24</p>
---	---	--

<p>ground 7:12</p> <p>group 77:2,9,11,16,18,23 78:2,9,15,23 79:5,10 84:9,22 85:13 140:9 154:9 165:4,5,11 166:11,17,20 167:5</p> <p>groups 125:7,8</p> <p>guess 29:6 38:13 39:14 42:8, 25 44:17 49:2 118:6 125:17 126:5 163:14</p> <p>guessing 168:8 183:14</p> <p>guidance 193:11,16</p> <p>Gurewitz 158:7,8</p> <p>guy 136:1</p> <p>guys 99:11</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>hack 150:8</p> <p>hacked 150:12</p> <p>hacking 150:18</p> <p>hair 200:24</p> <p>half 50:22 154:22</p> <p>hallway 84:5</p> <p>hand 6:24 24:16,25 25:6 27:17 28:9 101:25 116:23 152:23 196:15,18</p> <p>handbook 181:10,12</p> <p>handed 73:13 102:6 106:10 127:7 149:19 153:6,20 161:16 164:17 167:16 181:24 189:6</p> <p>handle 61:22 72:19</p> <p>handled 135:24</p> <p>handling 114:11 174:23</p> <p>Hang 184:22</p> <p>hanging 106:5</p> <p>happen 8:14 35:23 83:12 97:15</p> <p>happened 41:7 68:12 81:5,7 87:9,24 99:14 101:12 123:23 125:4 135:21</p> <p>happening 179:21</p>	<p>happens 137:16</p> <p>happy 37:25 133:7 174:20 176:5</p> <p>hard 64:22 65:8 100:21</p> <p>harm 58:11</p> <p>harmed 58:17,21 59:20 61:1,4</p> <p>harmless 182:20</p> <p>harms 61:17,18</p> <p>Harold 158:7</p> <p>he 8:19,20,22,24,25 9:5 20:24 29:4 33:13 42:4,5 45:10,15 47:19 49:18 53:1,2 63:15 64:3 68:5 70:10 76:10,11 79:19 80:1 82:4 89:25 92:25 100:16 105:4 109:23,24 110:2,6 111:19 112:6,13 113:9 135:2 136:2,4,5,11 137:10 138:12,13 141:18 145:18 146:3 156:23 157:23 158:9,10 161:2 162:5 173:17,19,20 175:8 176:5 178:15,16,17,22,24 193:9,14</p> <p>he'd 136:12</p> <p>he'll 9:1,4 93:15 193:10</p> <p>he's 9:1,2 27:4 51:15 67:1 96:25 112:8,15 156:24 158:7 173:19</p> <p>head 7:20 144:10 178:14</p> <p>headed 15:12</p> <p>heading 189:10</p> <p>headquartered 98:19</p> <p>heads 149:11,12</p> <p>health 181:4</p> <p>hear 9:11 79:18 134:18</p> <p>heard 10:21 23:2 87:12 133:23</p> <p>hearing 192:22</p> <p>hearsay 77:21 78:18</p> <p>heavily 23:16 84:14 128:1,5,8, 10 135:9 137:5</p> <p>Hecker 6:7,25 7:8 14:18 26:6, 24 33:15,21 53:5,10 60:20 62:17 69:7,25 70:5 75:5 83:24 89:13 90:3 106:10 110:4,7 116:19 133:12 142:2,3 143:5</p>	<p>144:22 148:6 153:11 171:6 178:8 183:20 197:4 198:6 204:1</p> <p>heinous 149:2</p> <p>held 112:1 156:4,8,9</p> <p>hello 84:6 175:22</p> <p>help 27:16 31:9,13 77:24 84:19 85:5 162:23 172:17,18 190:24 193:11 194:16</p> <p>helped 138:24 158:9,10 189:17,18</p> <p>helpful 21:14 122:25</p> <p>helping 77:4,9 86:24 122:21 194:19</p> <p>helps 134:13</p> <p>her 23:13 32:17 33:4,25 35:5, 14,17,18,19 36:2,4,6,10 37:2, 5,9,10 40:10,12,18 41:9 44:16 46:10,12,15 47:7,16 48:1 71:19,20 80:24 81:6,9,11,12, 14 82:3,6,17,24 83:8,9,12,15, 18,20,25 84:6,12,19,22,24 85:4 86:19,23,24 89:3,11 94:2 97:17 98:8 119:4 148:18 150:8,10 151:6,8,13,16,17,20 153:23,25 154:19 155:23,25 162:23 165:5 169:25 170:5,10 175:2,23 176:14,15 178:6 180:11 187:14 188:18,19 190:8,12 199:22 200:23 203:1, 2,4,5,7,13</p> <p>here 9:10 20:10 21:1,5 24:24 28:13 30:10,14 31:14 32:16 39:16 41:23 42:20 44:17 57:17 79:18 83:3 88:2 92:3 104:16 110:25 112:24 116:10 118:7 124:15 127:22 128:5 131:20 132:17 133:6 142:3 143:5 147:25 148:18 149:14 152:24 154:22 177:14 184:1 188:6 201:10</p> <p>here's 125:4</p> <p>herein 7:1</p> <p>hereto 204:12</p> <p>herself 34:10 87:6 170:6 172:6,9 187:10 202:21</p> <p>hesitancy 37:8</p>
--	--	---

hesitate 102:10	hurts 59:6,7	individuals 22:12,21 30:16 45:13 52:12 167:9 194:12
hey 56:11 175:1		
high 13:24 14:2,19 127:24	I	industrial 14:17
highly 189:18	Ian 33:4,5,6,7,10,11,24,25 34:2 37:9	infiltrate 163:7
him 48:1 50:13 53:12 64:2 66:25 67:1 74:10 76:7,8 89:19 90:23 100:17 105:5 109:23 111:13 112:3,9,10,17 137:1 141:2 142:23 143:8 145:20,21 146:3 173:24 175:7	ID 36:15	infiltrated 163:7 169:19
himself 100:17	idea 47:21 94:18 165:11	infiltration 154:11
hire 35:19 36:17,20 51:17 71:15 72:11,15	identical 183:19 184:9	infiltrations 132:2
hired 18:20 185:2	identification 25:1 36:6,11, 18,19 69:11 73:9 102:2 106:6 116:24 121:3,13 127:3 128:14 149:15 153:2 161:11 164:13 167:12 179:3 181:20 189:2 195:2	influence 123:10
hiring 18:1 74:18,23	identify 6:13 26:1,18 183:13 186:9 187:6,23 188:16	inform 62:14 87:6 170:6
his 10:3 27:5 39:8,19 42:4 45:13 47:19 48:1 50:13 53:1 66:6 76:9 93:1 105:25 106:1 108:23 148:12 150:24 151:13, 14 157:23 171:14 173:17 179:25 180:8 183:21 188:10	identity 37:2 79:20 166:8,11	information 17:15 30:14 40:10 41:17 42:6 54:18 58:10, 12,17,20,23,25 61:23 63:3,8, 12,13 64:12,13,14,15,17 77:3, 7,11,19 81:19 88:18 93:19 97:9,14 111:10 130:17,20 140:9 142:20 143:10 144:9 148:20 154:13 166:12 186:1 187:9,11 188:1 199:3 201:20, 24
history 105:22 130:1 200:14	illegally 58:20 155:9,11	informed 17:14 32:4 152:2 163:4 169:16
hit 140:9	image 55:13	informing 160:11
Hmm 68:21	immediate 87:20,22 88:9	injunction 59:23 60:4
Hold 127:22 183:22	important 123:5	injury 59:22
holding 131:25	importantly 59:7	inordinate 91:21,24
home 199:20	imposed 58:14	input 73:2 117:16 129:17 189:18
honest 51:17 138:18 171:24	improperly 192:15,17	inquire 145:5 158:24
honestly 177:14,18	inaccurate 137:16 139:12,14	inside 80:8 119:15 154:11
honorable 138:18	inadvertent 171:19	instance 61:11
hope 90:17	inadvertently 8:3	instances 37:19,21 38:7,9,11, 15 39:1 46:1
hoping 90:10	inartfully 62:18,19	institution 53:10,11
horizons 84:19	include 194:8	instruct 76:19 112:3
hotel 44:7	included 63:20 154:11 195:9	instructed 187:8
hours 46:20,24 47:1,2,8 94:17	includes 52:22	instructing 64:2
house 171:14	including 41:17 130:3 141:21 142:17 150:14 187:10 193:21 198:18	instructions 92:22 187:6,23
HR 18:3,7	incur 146:21	intend 74:19 134:14
human 18:7	incurred 93:6,11 94:13 180:25	intended 65:24 128:1 130:21, 23 150:22
hundred 27:13	indeed 71:7 74:9 179:14 200:14	intentions 190:9,13
hurt 147:9	indicated 101:10 106:22 136:25	

<p>interaction 193:12</p> <p>interactions 83:20,24 87:18 101:3 170:3,7</p> <p>intercepted 65:13</p> <p>interest 31:8 37:18 38:1 175:23 176:14,15</p> <p>interested 31:18 32:4</p> <p>interesting 131:5</p> <p>interim 85:1</p> <p>intern 31:24 32:1,24 35:18,20 40:6,12,24,25 41:1,3 58:19 71:16 74:14 75:2 92:1 118:4 125:4,15 180:21 187:12 188:8 199:2</p> <p>internal 52:22 141:2 143:19 144:13</p> <p>internally 147:2</p> <p>interning 41:2 117:22 118:24 185:25</p> <p>interns 30:17,19 31:7 74:22 185:1,9,10,17,18,24 186:6</p> <p>internship 75:17 82:17,18,25 83:10,12 118:13 119:4 120:19 160:21 180:11 181:8 188:17, 18,19 190:8 199:9</p> <p>interrogatories 25:19 26:20 27:11 182:4 183:11,16 184:17</p> <p>interrogatory 25:23 187:3</p> <p>interrupt 145:1</p> <p>interrupting 127:12</p> <p>intervene 176:8</p> <p>intervened 176:3,10</p> <p>intervention 172:18 175:5,7, 8</p> <p>interview 35:14,16 72:21 124:4</p> <p>interviewed 35:4 37:7 188:20</p> <p>interviewer 123:2,15</p> <p>interviewers 123:17</p> <p>interviews 65:9 190:25</p> <p>introduced 33:22 79:9</p> <p>introducing 35:17</p>	<p>invade 141:20</p> <p>investigate 37:4 52:5 76:4 178:2,4,6</p> <p>investigation 155:2</p> <p>invited 44:1 86:23 199:3</p> <p>involve 54:18</p> <p>involved 15:13 18:1 22:22 35:14 38:15,16,18 40:4,15 61:15 62:10 63:1 78:25 84:14 85:23 86:11 102:15 114:11 177:11,17,22,24 188:12 192:5, 7,9,22</p> <p>involving 42:23 61:16 62:10</p> <p>irrelevance 51:10</p> <p>irrelevant 60:17 89:21 109:21 140:24 141:19 157:21 158:23 164:1</p> <p>irreparable 58:11 59:22</p> <p>irreparably 58:16,21 59:20 61:1</p> <p>issue 63:25 94:14 129:9 182:19,21</p> <p>issued 103:4 140:7</p> <p>issues 85:17 96:4,10,19 188:12 199:5</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>jail 159:14</p> <p>James 148:11 149:6 191:13</p> <p>January 162:13</p> <p>Jennifer 173:19</p> <p>Jessica 6:22 21:13 101:9,10 122:21</p> <p>job 14:2 29:8 87:16 88:11 136:2,6 168:12</p> <p>jobs 12:10 185:25</p> <p>Jocelyn 167:18,25 168:4 169:4,20,23 170:10</p> <p>John 11:14</p> <p>Johnny 10:3 48:22 49:14 50:23 51:2 59:14 61:21 63:1 67:22 81:6,21 82:4,7 105:24</p>	<p>128:7 132:8 134:8 196:25</p> <p>Johnny's 67:4</p> <p>joining 31:19</p> <p>joint 192:1</p> <p>Jorge 32:14 37:1 44:21 55:3, 15 58:17 75:6 107:1 148:12 150:5,8,12 167:3 180:10 186:10 187:8 188:7 190:10,25 192:17 198:25 199:2 200:9 201:14,19,22</p> <p>Jorge's 182:3 184:6 188:14, 17</p> <p>Jorge/perez 191:21</p> <p>jot 138:23</p> <p>judge 98:25 99:1,3 102:25 103:6,17 109:22 140:7 145:19 192:23 193:1,6,9</p> <p>judicial 93:20</p> <p>July 16:5 60:2 129:15 139:23</p> <p>jump 7:23</p> <p>June 175:19,20 176:9</p> <p>jury 28:22 58:1 92:22,23 106:20 107:19</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>Keenan 161:24 162:3,4,25 163:10 169:11 173:13,15 174:3</p> <p>keep 34:7 74:20 113:4,20 122:17 163:9 169:14 179:21</p> <p>keeps 25:12 44:10</p> <p>Kelly 173:13,15 174:3,25 175:11,12 178:13,19,20</p> <p>Kelly's 173:16</p> <p>kept 21:2 22:9 42:3 114:13 122:13,15 126:1,2</p> <p>key 202:23 203:3</p> <p>kind 9:10 13:4,23 14:25 19:9 31:6 34:7 39:8,15 42:6 90:7, 16,18 131:2 142:19 162:4 182:17</p> <p>kindly 85:3</p>
---	--	--

Klein 6:18 203:17

knew 42:4,5 46:13 74:17
81:13 87:23 100:25 101:19
102:14 179:20 187:15 190:18
191:16

know 7:24 8:8,14,17,19 9:12
12:7 13:6,25 14:20 15:20
16:18,19,21 17:1,3 19:20
20:20,23 21:5,8 23:25 24:2,4,
5,8,9,11 25:13 29:14 30:1,2,
20,22 31:14,17,20 33:2,22
34:2 35:1,11 36:12 38:1 39:14
40:24 41:3,6,10,11 42:1,6,8
43:9 45:16,19 46:1,8,9,12
47:5,6,13,16,23 51:5 53:21,22
54:19 55:9,15,17,18,19,25
60:11 61:10,13,21 64:20,23
65:6,18,20,23 66:11,21 67:6,9,
12,15,17,20 68:3,15 70:15
72:23 75:3,25 76:2 77:3,12,14,
15 78:2,7 80:22,23 82:18
83:10,12,15,16 84:4,6,12
86:25 87:10,12 88:2,14,17,20
89:3,8,9,10 91:10 92:9,11,17
93:6,9 94:11,15,21 95:8,10,11,
18,20 97:13 98:6 99:15 100:3,
5,20 101:15 102:10 104:13,16,
25 105:14,16 107:10,13
109:12 110:3,10,18 111:23,24
112:25 113:3,18 114:10
115:25 116:1,3,5 118:20
119:18,20 120:12,14 121:6
122:25 124:8,23 125:5,7
129:3,8,11 131:5 137:10,12,14
138:13 139:5,11 142:1 143:24
144:11,12,14 145:5,16 149:5,
8,12 151:4,6,11,13,15,16,18,
19,21 153:22,23,25 154:1,19,
22,25 155:1,8,10,12 157:16
158:9,13,16 159:1,18 160:14,
20 161:3 163:4 165:5,7,8,13,
24 166:2,5,7,9,10,14,15,23,24
167:8,11 168:12 169:12,19,22,
23,25 170:3 171:21,23 172:7,
13 173:19,25 174:5,24 175:1,
24 176:7 178:13,17 179:22
181:2 182:24 184:12 186:15,
17,19,20,23,25 188:15 189:15,
17,20,23,25 190:3 191:2,6,8,9,
12,15 192:21 193:5,10 194:4
195:19 196:11 198:14 199:10,
12,15,23,24 200:11,17,20
201:5 202:20,22,23,25 203:1

knowing 130:10

knowledge 29:21,24 34:16
37:10 41:22 49:12 55:24
67:11,14,16 76:3,9 89:1 95:25
96:3,9,17,18,20,21 97:16
101:23 103:14 107:16 109:17
111:20 112:6 115:2 118:21,23
119:1,2,11 124:5,6 128:7
130:6,8,9,13,18 135:4,5
139:15 150:11,13 161:8
180:19 185:7 193:5,7 200:6

known 117:21 118:24 119:14,
16 175:1

knows 80:22 112:13 145:17
166:3

Korima 203:6

Kukuk 26:24 27:3

L

label 189:7

labeled 58:2 73:16 108:9
161:21

labor 14:16,17 15:7,11,12
48:10

Lake 136:1,2

large 201:23

larger 137:20 195:8

last 12:23 14:5 30:22 94:6
104:2 106:22 124:7 131:23
147:25 148:2 164:22 188:19
193:18 201:2 202:1 203:17

late 15:23 40:1 46:19 201:17

later 34:6 154:23

Lauren 22:25

law 17:23 31:21 53:22 54:19
90:14 92:25 109:18,19 156:5,
9,13,25 157:1,3,13,17,19
158:11,13,19,21,23 159:4,18
168:17,18 178:15

laws 65:16 66:9,23,25

lawsuit 17:10 20:10,22 21:11,
20,25 22:20 23:5,6,18,23
24:11 52:16 53:16,24 54:12,20
65:25 66:18 89:15 90:4,6,20
92:4 100:5,7 107:3 140:21
141:1,8,19 145:7,12 146:15,20
147:10,14 160:7 176:3 177:11,

18 180:7

lawsuits 22:13,22 24:3,7
52:11 53:6 78:3,16 167:9
192:4

lawyer 112:8 131:6 193:13

lay 130:24

layperson 92:24 93:19
109:18 110:25

lead 142:10 143:10

leaders 11:25 22:6 70:2,13
86:2,3

leadership 43:18

leading 142:19

leads 50:5

learn 74:16 75:6 155:24

learned 38:4

least 35:6,8 86:20 129:17
151:5

leave 92:10

Lecturers 33:8

led 75:20

left 15:18 200:19

legal 6:12 16:22 29:7 45:11
66:2 92:20 95:10 110:1 111:13
112:18 115:14 130:3,14 131:5,
11,17 135:16 140:10,13
148:22 160:12 178:10 190:23
191:4,5 193:20 194:12

legally 17:3

legislature 96:13

legitimate 141:24

legs 8:6 123:12

Leisa 7:15 24:23 27:21 28:7
101:25 102:6 113:13 116:23
133:17

Leisa's 73:13

lengthy 60:20

less 129:3

letterhead 11:22

letters 144:16

level 12:15 71:5 88:7 159:11

Liberty 191:10	18:11,12 21:24 22:6 61:20	maintaining 27:7
license 36:19	64:23,25 65:7 114:2,11	major 84:15
lie 37:15	115:12,16 124:8 158:17,19	make 8:23,25 9:4 13:7 20:14
lied 72:13	locals 12:1 24:9 33:7 42:2	29:10 37:11 39:11 58:12 70:16
lies 130:2	65:9 115:1	80:23 81:1 87:23 92:13 98:18
like 8:25 9:15 13:23 18:3 20:22	logic 160:9,11	99:8 114:19 140:21 144:7
22:24 36:19 38:4 52:18,19	long 6:9 10:12 13:21 15:15	147:15 149:1 154:2 158:10
57:10 61:13 72:18 84:5 89:5	38:22 40:7 94:1 129:5 130:1,	163:6
92:2,4 93:6,25 94:2 95:1 96:13	25 175:2	makes 23:11 56:5 94:19
102:8 116:5 120:23 125:20	longer 55:22 82:14 136:1,11	making 9:2 17:22 23:16 44:17
149:2 153:24 168:16 171:21	look 25:6,8 28:12 30:15 36:25	52:15 53:11 59:19 60:25
175:3,24 182:13 187:20	37:12 41:14 49:2 54:23 72:16	management 14:16
197:11 199:16,17 202:18	74:9 102:7,22 104:2 106:13	manager 162:5
likely 65:19 74:6 154:12,20,21	118:11 123:3 124:25 126:4	manipulated 52:13
203:6	127:19 128:23 131:23 132:16	manner 96:12
limited 187:13	135:18 139:20 149:1 153:19	many 19:7 30:20,22 94:17
limiting 91:5	154:5 155:22 156:1 164:18	116:2 136:7,22,24 164:20
Linda 102:25	176:7 178:1,6 183:3,9 184:24	marathon 8:7
line 35:22 45:9 52:4 68:6	188:16 190:19 191:18 195:13	March 149:21
70:23 74:11,12 109:21 120:21	202:7	Marcus 126:13
122:20 123:3,14 164:22	looked 74:1 135:9 139:23	Marisa 31:4 32:12,14,17,19,22
169:16 170:2 192:14	150:14 172:4	33:14,22 40:3 41:20 42:13
links 191:12	looking 18:11 30:14 33:19	47:13 51:2 55:9,25 58:17
list 11:17,19 12:12 19:10	37:16 58:3 85:15 102:13 117:3	66:19 72:8 74:11 75:2,6 77:6
93:18 124:17,24 175:2	139:18 144:22 147:21 179:7	80:5,11 82:14 85:3 86:22 87:5,
listed 171:18 185:10 187:22	198:6	18,20,24 88:6,12,22 91:25
198:13	looks 197:11	97:7 98:13 99:10,11 100:15
listening 142:22	Lose 153:10,11,16,22	101:1,3,19 104:15 105:1,18
litigation 52:25 53:9 78:23	lost 64:20,23,25 65:6	107:1 108:16 109:13 110:19,
90:20 93:3 103:21 107:6	lot 27:6 31:12,16 46:25 108:4	22 117:21 119:3,14,21 124:13
129:10,13 136:8 140:25 141:4,	128:19,24 129:2,9 147:9,15	148:17,18,19 151:19 154:17
14,22 143:21,22 157:20	louder 83:22	155:10 156:22 167:3 171:8
158:24 191:20 192:10,15	lower 106:13	178:5 180:4,10 181:8 185:9
194:9,17,19	lunch 8:11 81:6,7,9,22 82:5,8	187:25 188:3,14,17 191:6,21
little 9:11 30:4 31:10 41:19	116:10,19 122:11	202:20
48:3 90:23 94:3 134:17 140:2		Marisa's 36:1 79:20 120:19
158:6 177:15 197:21,23		149:5 160:21 166:8,11 199:9
199:21 202:6		Marissa 32:15 75:6 118:12,23
live 37:13,15		188:20
lives 154:14		mark 6:20 8:19 21:12 24:16,24
lobbies 96:10		25:12 26:16 27:14 28:13 29:3,
lobby 96:3,7,12		13 63:23 97:2 101:9 103:4
lobbying 96:13,18		104:7 110:8 121:12 172:18
local 11:16,23,25 16:15,16		174:25 175:3 191:5 194:4,6
		195:12
		marked 24:13 25:1 28:9 69:11
		73:9,13 102:1,2 106:6 116:24

M

121:3,13 127:3 128:14 149:15
153:2,6 161:11,15,16 164:13,
17 167:12,16 179:3 181:20,24,
25 189:2,6 195:2,18 196:15,24
198:6
marks 116:23
Martin 11:14
Massachusetts 14:8 15:5
massive 15:11
master's 14:7,13,16 15:1,4
masthead 19:12,14
match 181:6
material 63:19 111:11 132:3
187:14
materials 132:6
matter 32:11 38:22 52:22
62:10,13 92:21 93:5 99:4
109:10,19 119:24 120:11
129:10,13 149:6 152:6 156:15
158:23 198:12
matters 59:25 160:20,25
maybe 9:6,7 10:22 29:8 31:22
81:19 88:2 92:15 163:21
mayor 179:11,13,16,17,22
180:3,8
mayor's 86:4
Mcconer 203:6
Mccully 197:1
Mcdonald 11:14
me 8:14,16,19 9:2,15 12:12
14:13 16:8,10 17:13 19:9,14
23:25 25:12,13,15,24 26:22
28:19 32:7,10 33:11,13,23
35:17,18,25 43:24 50:1 51:18
52:17 57:12 58:8 69:20,24
70:11,13 75:11 76:14 88:10
89:25 91:10 97:10 98:2 99:6
100:22 102:11,24 103:11,14
106:17,18 107:23,24 121:19
125:13 126:18 138:24 142:9,
22 144:2 148:2 151:23 152:2
153:9,15 155:10 156:11 158:6
160:4 161:15 170:2 172:17,18
174:11,13 178:16,24 179:10
184:12 187:4 188:6 193:23
198:12,15 199:22 202:6

mean 8:16 27:13 32:7 39:4,14
42:19 55:12,13 56:20,21 58:20
63:12 65:19 67:8 89:11,22
92:25 93:21 96:7,13 97:15,19
101:21 108:10 113:9 115:5
117:24 118:3 122:15 130:9
144:25 149:10 155:8,9 160:2
162:19 168:6 175:16 180:13
182:20 194:13 202:15
meaning 101:6 103:21 194:12
means 12:17 43:8 49:25 50:1
112:21 144:21 180:20
meant 9:3 65:19 74:6
media 122:24 123:4,5,9
meet 80:24 87:10 100:1
101:10
meeting 43:20 81:9 86:20,25
99:10,14,16,20,24 103:12
159:13,19,25 160:5,7,13,15,16
199:14,16
meetings 20:25 84:21 86:16,
22 99:3 100:9,14,23,24 199:4
Melissa 148:12
Melvoin 62:3
member 11:2 44:3 194:8,13,
16
members 11:23 18:11,12
19:7 44:3 64:21 65:6,8 85:25
87:17 100:25 125:24 126:3
154:14
memory 12:25 20:21 33:13,23
46:17 50:15 54:7,10 82:12,16
102:13 139:15 157:23 174:4
188:9
men 59:8
mentioned 21:4,16 69:22
77:11 82:23 85:19 91:8,10
92:9,14 111:15 136:17 147:16
mentions 184:17
Meriweather 85:3
Mersino 6:16 7:6,10 22:4,7,
16,19 23:12,24 24:22 25:4
28:2,13,16 33:20 38:19,25
39:13 45:20 46:6,11 49:9
50:18 51:8,22 53:3,17 54:22,
25 55:1,14 56:15,22 60:2,19
61:5 62:20,23 63:7,14,16,22

64:1,11,19 65:4,5 66:3,10,15
67:5 68:9,14,22,24 69:6,14
70:7 71:12 72:6 73:8,12 76:12
77:5,17 78:1,8,22 79:4,14,16
80:19 81:20 83:6,11,23 89:2,
24 90:25 93:4,14,24 94:23
96:8,15 97:4,21,23 98:1 99:18
101:22,24 102:5 103:10,16,22
104:1,18,22 105:7,10 106:9
107:8,11,15 108:22,25 109:3,7
110:3,13 111:2,14,18 112:5,
10,13,19,21 113:2,11,13,22
115:6,7 116:9,18 117:2,25
118:5 119:7,10 120:4,6,8
121:6,11,17,21,24 122:1,5
123:13,19 126:24 127:6
128:17 131:19 132:15,22
133:5,16 134:10,13,22 135:6
137:13 138:1 140:18 141:6,11,
16,25 142:6,11,14,25 143:11,
14,16 144:1,6,8 145:2,9,15,22
146:17,25 149:13,18 151:3,10,
12 152:14,20 153:5 155:14
156:20 157:2,8 158:12 159:1,9
160:3 161:1,6,14 162:20
164:2,16 166:2,6 167:15 168:7
169:15 170:15,22 171:5,21
172:1,3 173:9,21 174:19
175:17 176:1,19,24 177:6,8
179:6 180:14,17,18 181:18,23
182:15,22 183:1,5,8,22,25
184:4,9,11,14 189:5 194:7,14,
15,24 195:5,12,22,25 196:2,
10,13,14 197:19 198:5 200:21
201:4,11 203:16 204:1
Mersino's 133:13
message 70:2,5,18 123:11,12
125:9 138:6
messages 80:7 89:3,9
met 7:9 74:18 101:9
Metro 15:22,24
Michigan 6:1,9,10 9:24 10:7,
13,18 12:3,9 13:13,16,21
15:19,21,25 16:2,4,9 17:8,19
18:3,15 19:11,25 20:9 21:6,11,
13 23:25 27:4 28:22,25 29:1
30:1,16,19 31:7 33:1,8,25
34:11 35:22 36:10,13 37:4
41:20 43:10 47:25 52:5,17,24
53:4 55:10,16,20,25 58:16,21
59:20 61:2,4,18,19 62:25
64:20,23 65:17 66:12 71:8,20
73:4 80:2 83:15 88:13,21 89:9,

14 90:4,9,12 91:15,16 92:8
93:6,11 94:13 97:13,17 98:11
101:12,16,18 103:3 104:10,13
106:21,25 107:19 108:15
109:13 110:20 111:9 113:4,8,
9,19 114:6,7,22,25 115:3,15,
19,22 117:18,21,22 118:13
119:4,14,15,23 120:9,12,13,
15,19,25 122:17 123:5 124:21
125:3,14 126:18,20 127:20,23
128:22 129:9 131:25 135:14,
19,20 137:19,23 138:5 141:7,
9,10,17 144:16,19 145:17,24
146:12,19 147:2,3,4 148:5
149:2 152:7 154:11 156:5,11
160:4,21 161:4 162:15 165:20
166:18,19 168:10,13 169:2
172:7,13,14,23 173:2,22
180:11 185:1,11,25 186:2
188:4,17,21 189:11 190:9,23
191:1,4,5,19,24,25 192:1,2,4,
16,22 193:5,19,24 197:7
200:3,10 202:12 203:9

Michigan's 50:11 91:11 92:15
96:22 97:9 98:12 103:1 160:15
195:15

Mickles 10:3 48:22 49:18 52:2
67:22 81:21 82:4,7 105:24
128:7 132:8 134:24 135:1
138:10,15 151:22 196:25

Mickles' 52:6

Mickles's 24:14 138:8,16

middle 198:24 200:22

might 13:6 18:21 25:7 30:10,
11 34:5 47:17 58:16 90:2
93:24 97:9,18 98:8 118:1

Mike 179:8,14,15

million 95:17,19

mind 110:25

mine 184:2

minute 34:20

minutes 133:6

misappropriated 109:13
110:20

misrepresented 37:2

missed 140:1

missing 201:1

mission 17:24 96:22

mistaken 183:19

misuse 91:9

Mm-hmm 32:13,21 49:16
54:3 65:12 66:20 95:5 104:3
107:2 124:11 134:25 152:1
156:6 182:6 185:16 199:1

moment 26:9 66:16 68:19
82:23 93:25 107:23 121:12
128:18 133:23,24 137:5
139:20,24 148:6 152:13
170:21 172:2 183:22 184:3,23
195:22 196:2,3,18 198:15

Monday 125:11,19,21,22
151:16,19

Monday's 151:20

money 136:15 147:9,12,15

months 30:17 40:8 60:3,5

moral 114:16

more 29:8 34:6,13,24 41:1
59:7 74:16 75:16 81:19 84:12,
19 94:4 128:21 136:15 139:20
155:24 173:14 197:21,22
198:21

morning 6:5 69:8 116:21

mortgage 171:13

most 11:24 16:13,14 40:25
65:19 74:6 94:6 188:10 203:6,
13

motion 98:12 103:1 195:6,9

mount 141:9 142:4 143:6

mounting 140:14

mounts 140:11

mouthful 84:18

move 9:7 175:2

moving 34:7

multiple 182:11,16

Murphy 159:16,17

N

name 6:12 7:7 11:15 12:7
15:10 23:2 33:4,25 37:2,5,9,10

70:21 148:18 164:22 168:14
173:14 184:17 191:7,25

name's 7:9

named 22:25 32:20 62:3
185:24 193:13 196:25

namely 18:18

names 79:7 104:20 185:1

narrative 48:8 50:6,11 52:1

narrow 161:5

Nate 26:6,24 40:14,18,20,21
41:23 42:2,3 43:23 44:9,12,18,
19 47:17,20 151:5,6,13 171:13
188:10

Nate's 47:21

national 11:10,11,12,13
12:15,19,21,22 13:1,10,14,19
16:9,13,17 17:3,6,9 21:21
24:2,6 76:21,24 77:7 79:9
103:19 117:7,17 120:24 125:3
126:19 147:5 153:18 154:3
165:16,17,22 166:7,10 191:24
192:6 194:19 200:3

nature 42:1 62:9 93:20 143:20
150:21

necessarily 128:23

necessary 193:22

need 7:21 8:5 19:15 25:7,8,9
31:10 61:10 68:20 70:12 94:25
106:3 115:21 181:19 189:1

needed 74:22 101:10

needs 27:21 49:5

negatively 131:7

Nessel 172:12 175:15 177:17

Nessel's 172:8,9

never 111:14 135:12 178:24

new 14:7 36:17,20 38:23
136:3 159:14

news 137:14

newscast 137:8

next 24:23 27:19 40:8 71:18
86:21 104:23 123:14 126:4
139:21 190:19 191:18 192:14
200:1,15

nice 84:7
night 199:18
nine 60:3
nod 7:20
Nods 151:10
non-memory 20:21
nondisclosure 181:16
none 31:22 145:8,10 152:10
nonetheless 62:19
Nope 118:6 170:18 187:19 188:25
normal 122:24
normally 70:10
note 93:17 108:19 133:15 150:19 164:19 183:18
noted 60:9 94:1 136:20 195:23
notes 118:12 138:19,21 160:18
nothing 7:3 9:21 10:1 53:22 141:3,23 143:21 144:21 154:10
notice 173:5
notifying 144:17
number 34:9 43:14 45:13 69:16 88:3 91:2,4 94:20 95:10 106:14 196:1 201:2
numbering 24:21
numerous 52:11

O

O'KEEFE 133:25 134:7,12,15 148:12,16 189:11 191:13
O'Keefe's 134:18 149:6
oath 7:15 69:8 116:20
obfuscation 130:2
object 33:17 52:20 53:8 62:7 68:6 76:6 96:5,25 105:3 109:15 111:7 112:2 113:6 158:20 160:1,23

objected 90:1
objection 8:21 9:2,4 23:8,20 50:12 51:7,10 54:14 55:11 56:7,19 59:21 60:21 63:11 64:2 66:1,13,24 71:9 76:25 77:13,21 78:4,18 79:1 81:16 88:25 89:17 90:19 93:12 94:1,7 96:12 108:18,23 120:20 123:7 131:14 132:12 135:15 140:15,24 141:13,14 142:5,11,12 143:12 146:2,23 155:5 156:17 157:4 162:18 164:8 169:6,9 170:12 180:12 193:25 194:10,21
objections 8:22 9:8
obligation 36:14 113:7
obligations 113:3,19
observed 201:22
obtain 98:22
obtained 111:5,22,23 132:3 171:9 192:17
obviously 7:20 17:14 20:23 21:1 59:6 61:12 72:16 84:3 88:17 94:22 112:23 135:20 162:9 163:5 174:23 175:22 194:6 202:5
occasion 139:8
occurred 181:2
October 6:2,6 89:16 121:20 122:2 123:20 162:1,9 164:21 166:18 167:20 169:21 179:8
odd 43:14
office 46:5,8,15 56:10,12,13 57:1,2,7,13,22,23 86:4 87:9 163:24 172:10,14,23 173:7,11,12 174:1,7,23 175:10,13 177:10,21 178:1,10 179:25 199:17 201:16,18
officers 19:12,21 191:19
offices 6:9 44:21 45:22 46:2,12,19 57:3,4 87:2 180:8 202:8
official 27:22
officials 96:14
okayed 36:2
once 72:12 80:20 173:24

one 16:18,22 30:9 32:10 33:7 39:18 45:17 46:13 48:22 59:12,14 61:16 67:23,24 70:16 74:3 75:16,17 82:3 86:20 87:15 88:3 91:2,4 93:24 95:6 107:23 121:22,25 122:18,19 124:21 126:4,5 128:6 133:8 135:8,17 139:20 140:1 141:7 150:15,16 151:5 163:5 164:22 166:1 169:21 171:10 172:17 173:14 174:22 181:9 183:22 184:23 189:24 190:19 195:22 196:2,18 198:15,21 199:12 201:18 203:12,17
one's 87:15
one-on-one 100:8,13,24 101:5
one-story 202:9
ones 116:2 119:16,18
ongoing 129:10,12
only 13:16 29:21 40:20 43:8 52:1,18 61:9 67:3,23 119:16 128:6 143:11 156:23 161:2
open 163:9 169:14 179:21
operate 114:16,18 117:14 120:24
operates 114:17 130:24
operative 148:12
operatives 154:9
opine 111:9
opinion 50:10,13 51:15 112:18 128:10 131:12,21 132:5 135:17 138:14 144:10
opinions 66:5,6
opposed 86:9 132:10
opposite 96:2
options 160:12
order 19:10 27:25 66:22 98:13,23 103:2,7 145:20 156:3 195:7
organization 11:3 17:22 33:9 41:1 48:10 59:1,2,7 61:18,25 71:17 163:8 165:12 200:4
organizational 14:15

organizations 16:11 22:11,
21 78:3,10,16,24 124:18,20

organized 42:4 197:23

organizing 12:19 31:16,17
40:15

original 89:14 98:25 107:25

originally 30:12 98:16

other 7:22 8:3 10:17 12:2,7,9,
18 13:10,11 15:13 16:19 19:6
20:2,15 21:23 22:11,20 24:5,7
27:7,12 39:2,12 40:22 41:12
44:22 45:2,22 52:23,25 53:6
62:17 64:7 67:6,21 68:3,15
75:10,20 76:11,15 78:2,10,16
85:6 92:7 94:18 95:12 96:19
109:8 110:23 124:16,17,18,20,
22 125:6 138:12 146:18
151:22 152:5 155:15 167:6,9
179:19 185:10,24 186:17
187:7,10,24 190:14,16 193:20
195:10 199:24 201:23 203:14

others 28:23 35:8,11 46:10
76:8 105:6,13 124:22 145:24
146:12 163:4,5 164:21 184:23
186:14

otherwise 198:11

our 6:14 11:5,8,9 17:23,24
19:23 21:1,2 22:9 33:7 51:20
59:5,8 70:13 71:6 79:22,24
85:16 87:25 90:13 91:2,20
93:18 94:17 110:23,24 125:24
129:4 144:18 191:16 196:3
199:17

ourselves 133:11

out 15:9 19:13,14 28:3 31:14,
17 43:9 49:20 55:9,12 57:23
59:1 61:10,12,22 70:13 74:3,7,
11,12,20 75:9,23,25 76:5
80:21,24,25 82:6,10 85:4 87:5,
8 88:18,22 94:15,16,25 95:11,
13,20 97:7 99:10 100:22
102:11,14 103:8,14 106:1
112:25 117:6,15 120:10,25
123:11 124:8 125:10,19,23,24
126:9,16,19 128:24 130:24
137:18 138:11 148:13,17
156:13,25 157:1,3 158:9,16
169:13 172:8,14,17,18 184:5
193:11 200:19 202:4 203:18

outcome 91:6,7 159:25 160:2

outfit 140:11

outlines 174:5

outside 10:7 12:9 55:16 80:7
89:8 101:6 125:3 144:10
145:23 146:11,19 147:3,4,6,7

over 7:12,22 8:2 38:2 40:8
43:21 75:17 82:25 83:10 85:9
97:17 98:4,7 120:18 124:10
126:14 128:12 129:4 169:17
201:10

owned 202:12

owns 16:22 165:7,8

P

p.m. 94:9 102:4 106:8 110:16
113:16 116:12,14,15,17 117:1
121:5,15 127:5 128:16 132:24
133:1,2,4,20,21 134:20,21
143:3 146:8 149:17 152:15,17,
19 153:4 161:13 164:15
167:14 170:24 171:1,2,4 179:5
181:22 189:4 195:4 197:24
198:1,2,4 203:20,22,23,25
204:8,10

page 9:10 13:8 25:22 30:8
48:3 54:25 58:5,8 65:10 92:14
106:22 148:3,4 150:3 182:10,
12,13 183:9 185:15 187:3
190:20 192:21 193:18 197:2
198:16,18,21,22,24 200:1,22
201:13

pages 67:25 68:16 182:11
183:3

paid 19:17 36:20 73:4 180:21
185:8,11

pain 94:21

paper 189:25

papers 141:1,15,17 143:23
145:14 195:10

paperwork 108:4

paragraph 30:13,15 32:9
34:9,16 35:3 37:1,12,16 39:16
40:8 41:14 42:9,20 44:14,20,
23 45:21 46:18 47:10 48:3,15
49:2,10 51:25 52:8 53:25
54:23 55:5 56:3 57:25 58:8

59:13 65:11 95:16 102:22
104:2 122:23 124:7 127:19
129:20 131:23 140:4 147:25
148:2 150:4 154:7 155:22
156:1 184:24 185:15 186:9,12
187:3 188:16 190:19,21
198:24

Parker 103:6,17 109:22
145:19

Parker's 102:25

part 10:21,24 30:2 35:16 37:23
40:11 43:11 45:4 82:23 90:8
94:18 95:21 99:2 108:14 109:8
113:8 120:16 125:13 140:1,21
148:13 195:8

part-time 114:5

participate 130:5,14

participated 161:4 192:11

participation 183:21

particular 61:8 116:7 138:20

parties 80:7 167:9 204:12

partner 137:24

party 52:11 113:9 114:22
115:4,13,14 174:1

pass 84:5

passing 163:21

password 47:16,21,23 48:1
151:13,20 186:13 187:1
201:25 202:3 203:3

passwords 47:11,14 186:10,
15,18,19,20,23 202:5

past 32:8 39:11 47:7 62:17
64:7 185:4 198:21

patience 204:3

Paul 6:16 7:10 183:19

pause 93:24 133:22 199:25

pay 194:6,8,16,19

pecking 19:10

pending 8:9 52:25 53:25 54:5,
9 60:1 108:20 160:20,25

penetrate 142:13

people 11:7,9,12,15,18 19:22
31:18 37:15 40:16,22 41:12

43:1,8,21 44:1 46:25 51:17
52:23 59:3 61:7,10,11,13,24
72:11 75:15,20 76:3,11,14
77:23,24 82:13 84:5 85:14,24
86:2,5 91:20 92:11 100:8
104:21 125:3 137:24 138:7
142:17 155:16 163:6 199:24
203:13,14

people's 71:21

percent 27:14

Perez 32:15 75:6 118:13,23
187:15 188:20 190:10,25
200:16

performed 200:5,7,18

perhaps 30:7 64:10 87:19

period 129:5

permission 151:7,8,17
186:22 187:14

permitted 41:8,9 185:17

permitting 94:2

person 18:6 26:1,18 32:24
33:3,4 41:4,5,10 48:9 50:7
51:20 56:11,13,18 57:7 61:20
71:19 72:2,4 74:18 105:13
136:10,15 138:18 155:13
162:4 168:8 183:13 200:4
201:18

person's 57:1,2 73:2

personal 29:21,24 49:12 50:9
71:5 88:7 111:19 112:6 118:23
130:6,8,13,18 131:12 144:10
150:11,14,17 161:7 171:10
200:6

personally 33:21 45:11 49:24
51:1 52:5 54:4,8 56:4 75:5
76:17 83:2,20,24 89:13 95:13,
22 97:10 98:20 101:11 105:16
109:12 110:18 112:13 125:2
142:2 143:4 156:12,13,16
158:18 173:10 178:8 193:6

personnel 136:3

persons 47:12 58:11 186:11

perspective 85:16

pertain 59:25 117:18 119:4

pertained 62:1 150:15

pertaining 58:13 63:3,8 91:25
99:3 100:14 111:3,21 115:1,
16,23 116:3 139:2 152:7
160:21 172:10 187:25

pertains 144:15 155:17
156:22 178:5

pertinent 25:14

Ph.d. 14:9,14,17,23

phases 108:1

phone 39:17 72:20 174:10

physical 55:13,15,17 202:9

physically 88:6

pick 7:21

picture 39:8,16,19 50:24,25

pictures 55:18 98:8

piece 11:22

pieces 136:7

place 11:17 42:11 43:21 44:5,
6 84:10 85:9,10 86:25 116:9
124:4 176:20

places 40:25

Plaintiff 6:21 26:5,23 28:23
32:23 34:12 35:4 37:18,23
47:12 48:9,11 50:7 55:4 58:11
93:2 95:6,17 186:11

Plaintiff's 25:18 40:9 46:19
182:3

plan 122:25

play 31:7 35:16 127:16 134:3

pleading 58:1 60:10,12,15

pleadings 45:12

please 6:13,23 41:14 42:16
45:6 63:6 65:10 83:22 109:6
113:23 120:7 123:1,14 143:1,
16 146:6 170:2 180:16 182:10
195:12

plight 85:16

plus 95:7 162:18

podium 175:21

point 12:25 15:14 21:4 25:16
27:8 29:23 46:13 54:5 75:25
76:23 85:2 87:7,12,17 88:21
98:20 99:9,15 111:10,12

118:16 119:19 131:12 132:5
133:8,14 138:4 140:12 144:13
156:21 157:24 162:5,11 170:9
174:22 177:9 178:8 184:5
190:6 191:18 193:18

points 71:5 201:10

policies 187:6,24

policy 47:25 188:12 199:4

political 127:25 162:4

Pontoni 161:24 169:11

portion 60:22 94:8 95:3,6
104:23 110:15 113:15 137:15
143:2 146:7

portions 49:15 137:21 138:2

portrayed 148:1

posing 175:8

position 10:15 19:18 23:13
71:17 130:25 165:5 168:12
203:7

positions 12:10,18 13:10

positive 107:17

possession 98:9 160:15

possible 59:2,4 90:6

possibly 81:11 155:13 201:20

post 125:14

potential 81:21

PPS 124:7,16

PR 122:21 166:17

practice 30:16

practiced 122:11

pre-rally 176:13

prefer 14:18,22 39:14

preliminary 60:3

premises 55:10,16

prepare 9:19

preparing 58:24

prepped 190:3

present 57:5 99:6,21 123:21
192:22,25

<p>presentation 84:9 85:8,12</p> <p>president 10:16 11:3,11 12:2, 13 16:3,4 17:19 19:11 20:4,9 21:6 29:1 30:1 33:7 52:5 53:10 89:13 93:5 103:3 119:22 131:24 141:7,17 145:16,17 148:5</p> <p>presidents 11:24,25 12:16 19:22 124:9</p> <p>press 56:24 57:24 102:11,16 103:8,13 117:4,5,12,17,25 118:7 119:6,23 120:10,18 121:24 122:1 126:10,19 127:9 128:19,21 129:4,9,14 135:8 139:22,23 149:20,25 150:21 155:4,6</p> <p>pressure 140:10,13,22 141:8 142:4 143:6 146:21</p> <p>pressures 146:1,14</p> <p>presuppose 9:16 29:23</p> <p>presupposes 63:17 113:8</p> <p>pretended 88:17</p> <p>prevent 192:15</p> <p>previous 126:5</p> <p>previously 169:16</p> <p>primary 188:9</p> <p>prior 60:20 90:15 118:16,18 166:7,11,18 167:3 168:12 169:20,22 173:22,24,25</p> <p>privacy 71:21</p> <p>private 18:13,16,19,25 19:6 55:3,18 56:4,6,13 57:11 58:25 61:9,23 109:25 142:13 150:9</p> <p>privilege 9:14</p> <p>privileged 157:25 158:23 159:2</p> <p>proactive 104:9</p> <p>probably 11:19 12:5 31:17 34:3 43:14,15 53:20 76:20 85:6,15 136:14 181:1 195:21 196:7</p> <p>probing 201:19</p> <p>problem 134:3</p> <p>problems 133:15</p>	<p>procedural 130:4,19</p> <p>procedures 187:7,24</p> <p>proceed 134:4</p> <p>process 35:14,16 72:14,21 130:5,15 136:14</p> <p>produce 137:19,24 171:18,19</p> <p>produced 66:18 67:2,20 132:10 137:20,23 138:2 139:6, 9,12 152:6 171:17</p> <p>producing 119:3</p> <p>product 45:12</p> <p>production 25:19 182:4</p> <p>professional 14:25</p> <p>professor 168:18</p> <p>program 31:25 32:2</p> <p>Progress 124:21</p> <p>prohibited 41:12 46:23 47:3</p> <p>project 6:10 15:17 17:13,16 21:3 22:13,23 24:3,7 25:18 28:23 31:10,14 52:10,16,18 54:6,12 70:25 71:2 77:3,12,19 78:3,17,25 84:15 89:15 90:5,7, 10 91:3,5,11 95:25 96:3,9,21 103:2 104:15 105:1,18 106:25 108:16 118:14,16 119:2,21 122:22 123:24 124:13 127:13 129:25 130:1,7,10,13,22,24 131:25 139:9 140:9,14,23 141:12 142:4 143:7 145:25 146:13,20 147:12,18 149:5 154:17 155:16 156:3,7 160:4 163:6,24 164:7 166:12 167:10, 25 169:13,20 170:4,7,11 175:23 178:2,4 180:4 184:7 188:10 189:11 191:13,21 192:17 197:8</p> <p>projects 15:13 34:13,24</p> <p>promptly 190:24 191:4</p> <p>pronounced 79:13</p> <p>proof 154:16,23</p> <p>proper 12:6</p> <p>properly 17:23 71:18 72:1 74:4,7,11</p> <p>property 55:4 56:1</p>	<p>proposals 58:13</p> <p>proposed 58:14</p> <p>propriety 41:16</p> <p>protected 157:20</p> <p>provide 36:6,10 40:19 41:2 48:1,7 49:23 50:1,11 56:8 93:18 136:3</p> <p>provided 26:2,19 48:8 50:6 51:5,25 183:14 189:18,20 190:4</p> <p>providing 21:13 26:9 40:17 48:9 50:7 114:12</p> <p>provision 157:25</p> <p>proximate 119:5</p> <p>public 18:13,15,17,18,21 19:6 34:11 43:10 56:23 57:19 58:12,14 59:19 61:1,3 64:12 67:21,23 68:16 85:16 91:19 114:4 115:5,23 120:25 127:24 132:3 138:3 148:13,14,17,25 150:23 185:20 199:4</p> <p>publication 15:9</p> <p>publicly 56:17,20,21 58:22 61:12 63:4,10,13,20 67:12 68:4 111:5,16,22,23 117:21,23 118:17,24 119:14,16</p> <p>publish 90:11</p> <p>published 48:17 59:11 60:6 67:10 138:3</p> <p>pull 16:19 94:25 195:15</p> <p>punitive 95:17,20</p> <p>pure 114:15</p> <p>purport 150:20</p> <p>purpose 34:13 65:14 81:8,12, 14 88:18 90:3 140:21,25 141:14,22 149:1,3,6 187:10 190:1 192:14</p> <p>purposes 50:19 86:23 141:7 166:12</p> <p>pursue 108:16 191:20 192:9</p> <p>pursuing 193:21</p> <p>put 12:16 15:9 41:23 67:15 71:17 77:2 95:14,22 107:17 117:5 121:7 125:9 132:17</p>
--	---	--

133:7 140:22 188:13 193:13

putting 155:3

PV 52:9,11 55:2 106:14 122:24
176:15

Q

quality 127:24

quantified 92:10

quantify 92:17 93:10 94:12

question 7:23,24 8:8,9,10
9:17 26:8,16 33:18 38:17
42:16 44:12,18 46:4 48:15
49:8 53:19 55:12 56:8 60:16,
20,25 61:25 62:8 63:5,12,17
64:9 65:3,4 66:25 68:10,12
69:21 72:25 76:7 77:16 86:21
90:15 91:1 93:25 94:3,5,6,11
96:6,25 99:19 105:11 109:6
110:5,12,14,18 111:8 112:22
113:7,12,18 115:3 119:17
120:7 131:5,10 132:21 138:25
142:7,22,25 143:4,9,18 144:14
145:20 146:6,10,23 156:24
158:4 159:7 160:2,24 161:5
162:19 178:5 180:13,15
182:13 184:12 185:12,21
186:3,8 187:17 188:23 194:11
198:9

question's 8:13

questioning 35:2 52:4 120:21

questions 7:14 9:12 25:7
29:21,23 38:4 72:18 90:24
105:15 132:18 133:12 134:14
137:23 138:22 139:1,2 161:7
175:6 178:10 183:20 201:19,
20 204:2,5

quick 195:1 196:4

quickly 199:6,7,10 200:9,11

quite 195:17

quote 148:1,2,9

quoted 105:4

R

raise 6:23 8:22 21:4

rally 175:20 176:11,12,20

Randi 20:25 21:17 23:7 103:3,
18 104:7 126:14 129:2 131:24
148:2 192:5,12

rapid 200:15,17

reach 157:1,3 181:19

reached 136:13 156:13,25
158:9 172:8,14

read 25:22,24 29:4 30:10
38:12 42:25 52:9 60:19,23
65:22 91:1 94:2,5,9,24 110:4,
11,12,16 113:14,16 132:7
143:3 146:8 148:7 163:1 182:9

reading 49:4 187:20

ready 123:23 152:21

real 14:11 174:24

realizing 28:4

really 17:1 20:21 38:3 42:13
43:8 46:14 47:1,4,6 50:13 57:9
74:21,22 88:5 115:20 157:11,
12 158:15 160:12 178:12
192:1 193:17

reason 7:21 26:25 45:4 49:17
77:19 82:24 106:24 107:3,5
141:18 143:22 145:12 155:18,
20 166:23 169:8,11 179:19
184:20,21 185:12,21 186:3,8
187:17 188:23 197:12

reasonable 72:23

reasons 17:25 26:14 141:1
144:24 151:1

recall 7:11 10:11 22:18,24
23:1,13,16 25:17,21 26:9,11
27:8,11,13,15 32:7 35:12,13
38:24 39:4 42:10,17 47:9 56:2
62:4,5 68:13,17 69:18 70:4
71:1 75:15,16,22 76:14,15,16,
20 77:7,9,10 78:11,21 79:3,6,7
80:10,18,20 81:4,7 82:9,20,22
83:17 84:1 85:1,7,13 86:15
87:19 89:7,12 97:12,15 98:24
99:5,17,21,23 100:8,13,23
103:6,17,24,25 108:9,11
109:8,11 120:16,23 124:12,15,
16 126:10,12 128:4 147:7
152:11 153:12,13 159:10
165:1,2 167:22,24 168:2 171:7
176:2 177:20 178:8,22 179:22,

24,25 180:2,3,7 189:16 190:1,
5,11,14,18 197:10

recalls 157:23

receive 80:7 145:25 146:14
180:10 181:4

received 17:15 80:4 136:16
165:2 173:5 187:25

receiving 69:19 165:1

recent 39:18 94:6

recess 69:2 116:14 198:1
203:22

recipients 197:5

recognize 28:17 69:17,18,19
73:20 102:8 106:16,17 126:7,8
142:17 179:9 189:13

recollection 23:22 45:14 75:7
108:13

recommendation 32:23 33:2

reconstruct 178:12

record 6:6 7:7 9:4 13:6 27:22
28:20 39:10 45:15 60:9,22
64:7 69:1,3,5,15,23 73:16 94:8
101:20 106:19 108:19 110:15
113:15 116:11,13,15,17,20
117:3 126:1 132:22,25 133:1,
2,4,5,8,17,20,21 134:20,21
141:2 143:2 144:7,23 146:7
149:20 150:10,19 152:12,16,
17,19 164:19 170:23,25 171:1,
2,4 181:18 182:2,22 183:7
197:25 198:2,4 201:4 203:21,
23,24 204:9

recorded 66:22 101:15,17
137:15

recording 82:7

recordings 152:5

records 45:23 46:2

recourse 91:2,11

recover 27:21

Reeves 11:7 19:15

refer 16:9 17:6 32:16 38:7
62:22 66:8,14 101:20 132:7,8
165:18

reference 10:21 45:17 48:16

referenced 59:13	119:23 120:10 149:7	represent 6:14 18:15,17 19:2, 5 21:11 52:9 59:3,9 61:13 96:1 106:19 128:2 193:14 195:8
references 36:23 72:20	relevance 23:8,20 50:12 52:20 53:9 56:7,19 59:21 66:1 68:6,11 71:9 76:25 78:6,19 81:16 89:17 90:19 105:4 108:18 120:21 123:7 131:14 132:12 135:15 140:15 142:11, 12 143:13,19 155:5 156:17 157:4 160:24 162:18 164:8 169:6,9 170:12 193:25 194:21	representation 62:25
referred 41:22 44:10 128:4 184:6 191:3		representations 132:1
referring 13:1 38:8 45:17 52:10 62:2,11 72:5,7,8 118:12 125:20		represented 34:10 40:16 48:10 50:8
refers 32:14,15 42:9 128:5		representing 40:16 87:6 201:6
refine 33:18	relevancy 88:25	represents 18:11 21:12 58:12
reflect 45:15	relevant 52:15,17 53:5,6,15 54:11 60:1 66:7 131:3 142:9, 10,20 143:10 144:20 201:21	Republicans 86:4
reflects 131:7		reputation 92:15
refusing 130:5,14	relief 89:18 95:4,16	request 26:22 182:3
regard 17:10 62:12 104:15 105:18 124:13 133:12 180:4 194:11 199:9 200:4 201:25 202:2	relook 64:16	requested 60:22 94:8 97:23 110:15 113:15 143:2 146:7 200:3 204:11
regarding 22:2,14 59:22 120:19 156:15	remainder 183:6	requests 25:19,20 26:21 182:4 183:16 184:6,7,16
regardless 87:23	remember 15:14 24:11 25:11 28:19 31:5 34:3 35:17 39:18 46:13,14 67:4 75:20,22 80:6, 16,17 82:16 84:8,24 85:15 86:19 87:8 98:5,10,14 99:6 101:4 103:11,13 117:14 119:12,20 123:16 125:2 138:24 139:3,10,13,14,18,19 157:10,11,12,14 158:6 159:20, 24 160:6,8,12,17 163:11,13,16 168:21,23 169:24 170:1,8 172:11 173:6,8 174:2 177:13, 14,16,19 178:4,7 189:22 190:16 192:11 193:1,15,17 199:11,12,18,23	requires 66:25 109:17 111:9
regards 105:2		reread 142:25
regular 122:14,15 125:22 201:14	remembering 20:21	research 15:17 31:10,11
regularly 40:9 202:15	reminder 116:20	residence 37:3,5
reimbursed 181:1	remove 183:6	resource 15:11
rel 143:12	rent 202:18	resources 18:7 193:19,24
related 138:13	repeat 42:16 109:5 113:12 120:7 146:5,23 184:23	respect 7:23 65:13
relations 14:16,17	repeatedly 44:21 45:5,22 46:18 201:22	respected 74:18
relationship 16:8,11,22	rephrase 24:1 142:21	respectfully 62:8
relax 87:13 88:1	reporter 6:15,23 24:23 28:1 60:23 94:9 110:16 113:16 143:3 146:8	respective 204:12
release 102:11,16 103:8,13 117:4,5,12,25 118:7 119:6,23 120:10,18 121:24 122:1 126:11,19 127:9,17 128:22 129:14,18 131:4 139:22,23 148:22 149:21,25 150:21 155:4,6	reporting 158:22	respond 99:13 145:21 163:10,12
released 50:17 63:19 64:21, 24 65:1 66:17 118:17 119:8,24 128:1,6	reports 111:4	responded 169:23,25 179:22, 25
releases 117:18 120:18 128:19,21,24 129:4,7,10,12 135:8		response 25:23 26:5,15,21, 23 27:1 73:25 102:24 127:13 184:15 185:18,22 186:1,4,13 187:12
releasing 52:13 117:17		responses 26:20 27:10 182:3 183:11,15 184:4,5,7 188:24
		responsibilities 187:13
		responsible 17:22 156:4,8,10
		restraining 98:13,23 103:2,7 156:3 195:7

result 48:7 91:4
resulting 50:4
resumé 36:1,14,21 72:17
retain 165:20,22
retained 165:24
retrospect 74:23
return 97:8,14,17
reveal 81:11,15
revelation 166:8,11
revenue 194:11
review 9:22 36:21 139:8
reviewed 117:15
reviewing 103:14 139:13
right 6:23 10:17 20:1 22:8,9
23:15 29:5 32:1 35:3 38:20
48:15,18,20 49:10 50:5 51:23
57:14 60:13 70:17 71:4 77:24,
25 78:12,14 83:1 84:3,7 85:20
87:4 91:14 92:6,13,25 97:3,15
99:14 101:2 102:19,21,22,23
103:22 106:14 108:5 112:12
114:15,20,24 115:2,15 118:10,
15,17 121:2,22 125:12 126:4,6
128:20 131:20 135:22 137:3
138:4 139:25 141:18 147:13
152:4,23 160:9 162:12,21
163:16 164:23 167:4,19,20
168:15 169:4 172:20,23 173:3,
4 174:15,18 176:23 182:1
183:25 184:15,22 187:20
194:23 197:12,19,20 198:8
199:6,8 201:3 202:20 203:16
right-hand 106:13
rigor 71:14
ring 34:25
Robinson 33:5
role 16:1 17:20 27:5 48:9 50:7,
11 117:11,13 127:16 173:16
roles 12:2,10 13:18 31:6
roots 86:9,10
Ross 168:15
routinely 203:1
rule 158:16

ruled 59:24 109:22
rules 7:13
ruling 94:19 140:7
running 126:20 162:11,14
172:9
runs 17:22
Rutter 6:22 21:11 68:20 101:8

S

safe 119:13
said 29:12 30:10 34:23 35:1,2,
22 37:11 46:10 49:18,19 56:11
64:16 75:14,18 78:23 79:25
80:12 81:13 83:16 84:11 85:5
87:14,21 88:2,23 89:10 90:15
97:8 104:4,9 105:14 111:16
116:5 131:24 133:10 134:15
135:1,2 137:1 138:10,12
139:13 147:11 148:6 154:20
159:4 162:21 171:7,9,22
175:1,8,22 178:15,16 193:10
199:19,20
sake 13:6 198:11
salary 185:8,11
same 7:21 13:8 28:18 44:6
54:14,17 65:3,4 66:13 71:14
79:1 92:14 93:12 141:14
142:5,7 146:2,22 147:21 168:8
169:8,11 178:5 179:19 182:16
183:1 184:12 193:7,11 195:20
196:8
sat 27:16
save 196:2
saw 41:15 46:12 104:6 117:15
134:23 135:8 136:17,20,25
138:19 148:23,24 149:7
say 9:3 13:1 17:13 18:6,8
19:10,16 23:14 25:5,12 30:22
32:19 35:9 38:6 41:10 42:22
51:24 64:25 65:8 66:17 70:14
72:11 74:3 76:10 80:1 81:11
83:18 85:19 87:14 89:11 91:24
93:9 94:11 101:7 105:21,23
108:9 109:24 116:7 117:23
119:13 123:20 130:21,23
138:7 147:4,14 155:10 156:21
159:4 163:14 173:14 180:25

182:8 189:22 193:7 196:7
202:4
saying 29:15 49:7 72:24,25
80:8 84:6,24 89:3,9 125:4
133:25 134:7,12 143:14 144:4,
22,23
says 26:1,18 30:15 32:9 33:2
34:9,19 35:3 37:1,18 38:9
40:8,11 41:14 44:14,20 45:4,
21 46:18 47:10 48:6 49:3,23
50:5,21 52:8,11 53:25 55:2
56:4 65:13,18 70:2,23 71:5,18
74:14 80:9 104:4,9,23 106:14,
25 111:25 122:20,23 123:4,14
124:8 125:9,19 127:20 129:23
131:24 140:4,7 148:5,11 150:8
154:9 156:1 163:3 169:16
170:2 183:11,13 185:8,11,17,
24 186:9 187:6,12 188:16,20
189:10 190:8,23 191:18
192:14 193:18 198:25 200:9,
14 201:14,16
schedule 201:14
scholarship 12:4,5
school 13:24 14:2,16,20
18:20,21 34:14,24 36:4 39:21
41:25 75:18 84:17 85:21
135:25 136:11 154:10,12,18
155:18 168:17
schools 18:15,16,17,18 34:11
37:19 40:15,17 44:10 84:15
114:4 132:4 188:11
screen 132:17
sealed 171:17
search 76:17 190:25 200:15,
17
sec 32:10
second 26:3,10 27:9 28:21
34:15,22 57:25 60:5,10 74:15
84:20,25 85:4 94:24 122:23
127:19 129:20 132:23 150:3
153:19 154:7 155:22 156:1
164:1 174:11 186:12 190:6
seconds 132:16 133:7
secret 108:7,10,16 109:9,20,
25 110:1 111:1 143:25 144:1,
3,20 147:20
secretary 11:5 168:10,11,13,

25 170:16 203:8
secretary/treasurer 19:15, 17
secretly 154:12,19 155:9,13
secrets 109:14,16 110:21 145:3 171:18
secured 47:11,13 118:13 186:10
see 14:19 29:4 36:1,4 42:22 43:14 46:15 48:4 51:9 55:5 61:11,14 64:16,17 65:11 81:10 100:25 104:4 119:22 120:9 124:25 127:22 129:23 134:18 137:8 140:4 148:2,18 150:4 153:1 164:25 175:2 198:25 201:13
seeing 25:11 67:4
seek 36:23 144:18
seeking 201:20
seeks 89:18
seem 82:20,22
seemed 128:18 199:21
seen 25:10 28:3 44:21 45:5,22 46:1,5,8,18 67:2 129:12 135:12 137:14 151:22 152:2,5 154:23,24 171:9 182:7,9
seize 123:5,9
seized 122:23 123:4
send 122:18 125:10,19 126:19 162:25 169:4 179:17 187:14
sending 39:16 125:2 167:22, 24 197:10
sends 25:13
sense 23:11 75:19 80:23 98:18 110:6
sent 25:15 28:18 39:8,19 70:19 88:22 89:3,9 106:17,18 124:25 126:9 144:16 146:16 154:1 168:2,19 169:11,21 172:4 179:19 197:13
sentence 47:10 71:18 78:12 148:11 200:15 201:2
separate 16:17
September 42:15 69:23 73:23
75:1,4 89:15 106:22 107:4 117:4,8 118:9,18 123:20 153:9 166:24 188:22
sequential 24:21
seriously 200:2
serve 12:17 19:22 30:17
services 166:7 188:21
set 9:10 68:18 99:8 113:21 121:11 132:16 148:13,17
setting 105:15
settlements 95:21
several 60:4 133:24 200:16
sexting 37:20 38:5,10,16,23 39:1,12
shake 7:20
share 61:7,9 101:25 121:23 129:4 184:2
shared 18:8 42:2
she 7:20 8:1 23:14,18 24:24 33:1,24 34:12,14,22,23 35:1 37:7,9,11 38:1,4 39:21 40:7, 12,13,14,17,18,20,21,23 41:3, 12 44:14,18 45:1,5,21 46:1,2, 4,8,23 47:3,7,20 55:17,18,19, 21,22 58:18,20 75:13,14,18,24 76:5 79:24,25 80:9,12,22 81:11,13 82:19,20,21,25 83:2 84:13,24 85:1,8 87:5,21 88:14, 22,23 97:7,8,9,14,18 98:4,7,8 109:19,24 113:13 118:3,14,24 119:1 134:16 148:19,20,21 150:13 151:1,2,14 153:17,25 154:1,19,20 155:21,23,24 162:9,11,13,14 163:20 164:3 165:4,7,8 168:11,12,14,16,19, 21,24 170:9,16 172:9 174:24 175:20,21,22 176:12,24,25 177:1,12 180:21,25 181:4,10, 12,14,16 186:13,14,15,17,19, 20,21,22,23,25 187:8,12,13, 14,15 188:5 191:9,12 192:7,9 199:2,15,20,22 200:12,14,23 201:16,17,21,23 202:4,23 203:3,8,11,12
she'd 57:3
she's 7:16 23:22 82:19 84:6 102:1 154:3 165:8,9,10 168:5, 8,10
Sherman 174:22
shop 154:1 191:16
short 69:7
short-circuit 203:18
should 25:5 29:6 45:15 57:22 70:14 71:16 91:15,16,22 108:15 120:17 148:21 157:14 163:8,14
shouldn't 56:25 57:6 89:4,5 151:2
show 36:17 69:10 73:6 122:3 137:21 149:14
showed 37:18,23 134:23
showing 24:12 67:21 131:9
shown 138:10
shy 8:19
sic 34:12 102:12 148:12
sic] 65:17
side 68:18 147:16
sign 181:8,10,14,16
signature 70:19 204:11
signed 98:25
significance 95:9,18
similar 90:18 96:22 125:9 196:5
similarly 45:21
simple 7:13
simply 134:2
since 10:3 13:22 16:6 22:20 66:16,21 105:4 108:5 123:20 164:3 167:5 168:24 170:16 172:12
single 18:6
sir 7:7 10:19 36:8 58:4 69:17 147:23 150:6 180:22
sit 45:1 84:22 94:16 147:13
sitting 21:5 44:22 124:15 131:20 142:3 143:4 154:22 188:6 201:22
situation 17:14,18 50:2,3 61:8 72:12 122:22 189:25

Skillman 86:11 87:1 199:14, 16	15 199:6,8 200:2 201:6	135:9 137:5
skip 30:6 44:20 48:3 52:8	sometime 15:23 75:7 82:10 175:19	splicing 132:2
slicing 132:7	sometimes 13:5,6 32:4 44:7 137:16 138:2 158:7	spoke 115:10 134:9 144:11 175:6,12 176:12
slowing 91:5	somewhere 126:2	Sports 168:15
small 70:16 85:13	sorry 19:4 32:21 35:10,24 37:14 45:3 49:4 70:8 71:22 78:13 82:1 88:8 93:8 97:2 100:3,11 112:20 120:5 121:6 127:12 136:23 144:25 148:5 160:10 184:15 194:22 198:21	spring 32:9,22
smartphone 150:10		stack 27:18
smear 132:3		staff 20:24 40:9 41:4,5,9 51:20 61:20 71:6,8,15 74:4 75:10,11 79:21 80:1,2 87:7,11,17,23,25 88:4,10 91:17,21,22 94:14,15 95:12,14 99:16,20 100:22,25 101:5,9,10 122:9 123:23 191:1 201:19,23
social 88:16	sort 15:10 36:21 38:2 65:9 76:17 85:14 95:22 110:24 131:11 200:7,17	staffers 150:15,16
sold 67:17	sorting 75:12	stage 9:11 99:8 113:21
sole 88:18 149:3 193:12 201:17	sought 32:24 40:10 41:20 44:14 95:4,16 136:8,10	stake 87:16
solution 66:2 136:8,10,13	sounds 44:12,13 153:24	stamped 195:24
some 7:12,13 8:22 13:18 17:15,16 18:9,12,13,17 20:24 24:12,13,16,17,18 25:15 30:6 31:11,17 34:5 36:21 60:12 64:13,14 72:21 75:12,13 76:9, 23 84:8 88:5 91:4 92:20 99:9 100:22 124:20 132:18 133:11 134:24 137:9 138:12,19 139:6 172:4 175:6 186:13 187:21 188:12 192:7 194:5 198:9,13 199:24 202:4	source 130:9,12,16,20	standing 87:25
somebody 29:13,15 57:12 62:3 72:24 74:19 118:12 131:7 163:8	space 202:18	stapled 183:2
somebody's 56:10	speak 61:17 64:3 175:14	stapling 182:19,21
somehow 121:7	speaking 175:20	start 7:25 13:23 14:1,22 15:2 22:16 23:4 27:18 83:6 96:16 98:2 110:13 122:6 130:11 153:8 155:8
someone 32:4,5 35:1 37:8 51:17 54:18 56:25 64:13,18 71:15 72:12,14,25 74:13,17,23 80:8,24 81:5,6 82:24 83:8,9 84:20 85:5 94:20 105:22 153:25 166:16 191:16 196:25 203:3	speaks 90:20 114:9	started 14:25 22:12,22 165:7, 9 166:5
someone's 56:24 57:4,23 114:8	specific 20:21 23:17 31:24 40:13 89:18 104:21 190:1 194:12	starting 13:24 15:21 75:13 188:18
someplace 136:2	specifically 27:15 28:19 36:16 40:18 45:17 46:10 69:18 77:6 80:17 101:7 117:14 123:24 155:17 177:16 199:13	state 6:14 7:7 12:21,24 14:6 16:14,17 17:2 24:5 54:2,9 69:22 96:13 106:21 114:5,7 117:3 143:16 149:19 157:16 158:13,17,18 168:10,11,13,17, 18,25 170:17 178:15 182:2 191:21
something 8:16,20 30:3,10 40:3 41:4 42:2 43:9,17,20 44:11 52:18 61:15 62:2 68:12 70:10,13 88:2 92:14 93:20 94:24 108:9 120:24 122:17 126:13 130:25 131:6 168:16 171:6 175:3,24 181:19 196:5,	specifics 76:16 77:10	stated 30:13 42:20 140:25 141:15 143:22 145:13
	speculate 67:1 77:15 80:14 89:20 90:1 100:17 105:5,12 112:4	statement 64:5 71:24 103:4 104:6 105:4,15 134:18 192:19 202:1
	speculation 77:13 78:4 81:17	statements 52:13 101:11,15 104:11,24 105:1,5,12,17,25 106:1
	speculative 76:10 92:18 132:13	
	speed 22:9 25:13 153:1	
	spellings 32:15	
	spend 147:15	
	spent 91:22	
	spliced 128:1,5,8,11 132:6	

states 16:13,14 54:1 65:16
195:6
statistics 15:7,14
status 41:18 42:5
statute 109:17 111:24 112:7,
14,16
statutes 113:1
statutory 157:25
stay 75:19 201:17
steal 150:9
stem 160:15
stenographer 133:9
stenographically 7:16
step 32:10 203:17
stepped 175:21
steps 72:23
Steven 6:18
stick 190:20
sticking 52:4 56:3 57:16
still 9:1,5,8 69:7 82:25 116:20
122:25 185:15 203:11,12
stock 16:23,24
stole 55:3
stop 9:15 14:11 45:6 46:3,5
90:6,10,16,17 104:12 112:23
154:9
stopped 168:21
straight 100:12 177:7
strange 199:21
strategies 110:24
strategist 162:4
strategizing 58:24
strategy 23:10 61:11 141:3
142:15
street 67:18,19
stretch 8:6
strict 201:25 202:2,5
Stroh's 84:9,10 85:9

Strom 17:17 21:1,19 164:20
structured 16:12
student 34:10 39:9,20 75:18
135:25 200:10,12
students 31:21,22,25 34:15,
22 37:20 38:10,16,23 39:2
127:21,23
stuff 27:6 84:3,5 92:11 193:16
subject 70:2 111:11 128:22
157:20,25 175:16 197:7
subjective 149:6
submit 72:16
submitted 26:16 27:15
subsidiary 16:25
substance 10:2
substantial 41:16
Subtitles 134:10
such 29:1 37:21 38:6,11,18
124:4 146:3 154:25 155:3
158:21 161:8
sudden 61:24
sue 98:25 147:8
suffered 92:8
suffering 94:21
suggest 63:18
suggestive 39:17
suit 52:21 97:20 98:2,7,16
178:11 191:24,25
suits 53:25 54:4,8,11 144:18
Sullivan 99:1 193:6,8,12,13
Sullivan's 99:3 192:23 193:1
summer 30:17 31:15 38:2
42:11,18 43:12 75:2,3 83:21,
25 86:15,17 87:4 169:17 200:1
summit 43:18
Sunday 162:1 164:21
superintendent 85:2
supplement 96:11
supplemental 58:1 60:10,11

supplementaries 108:2
support 6:13 16:19 91:20
127:20,23
supported 162:22
supposed 40:13 159:15
183:15
supposedly 37:20 38:10
Supreme 172:24 173:2,23
sure 8:3,13,16 12:7 13:7 15:3
17:22 28:18 29:10,17 33:16
37:11 38:3 39:11 41:6,11
42:17,22 43:15,25 60:11 73:21
79:15 87:23 92:13 96:16
97:11,16 99:8 104:18 109:22
113:13 114:19,21 129:6
130:11 154:2 173:18 182:8
194:14 195:17 197:17
surprised 35:13 100:21
103:24
surrounded 188:11
suspect 194:12
suspected 158:22
suspicious 190:9,12,17
swear 6:15
swore 7:15
sworn 7:2 69:8
system 34:14,24

T

take 8:1,5,10,11 18:9 19:8
25:6,9 28:12 44:5 54:23 55:12
57:22 68:24 72:16,23 74:12
101:11 102:7 128:23 132:15,
16 133:9 135:18 142:22
153:23 160:18 164:18 193:20
196:4 197:20 199:19,20
taken 49:20,21 58:20 66:18,
21,22 69:2 91:18 106:1 110:22
116:14 137:18 138:11 198:1
203:22
takes 18:6 137:15 158:6
taking 6:8 7:16 8:11 68:6,7
111:1 138:16,19,21 171:14

talk 7:22 9:24 10:3,6 20:23
21:16,24 22:11,25 24:18
33:11,13 41:4,6 70:12,14
81:21 82:3 100:22 121:1 137:4
159:4 170:20 173:12 174:13

talked 20:24,25 21:16 22:20
29:13 31:18 35:18 79:22,23
80:22 82:2,18 99:25 101:19
105:23 146:15 157:13 163:4
173:24 177:13,14 190:14

talking 8:1 13:7 17:18 21:23
32:19 39:11 41:12 42:13 44:9
61:22 62:17 64:7 82:20 92:2
119:5 147:2 166:1 171:8
176:21 186:6

tape 87:14,15 155:9

taped 132:14

tapes 155:11 192:16

taping 155:13

tapings 75:24

Taylor 19:3,5 151:16,19,20

teach 34:11 136:5

teacher 34:15,22 39:8 74:15
84:21,25 85:6 136:18,19,21
155:25

teachers 12:14 13:2 16:10
96:1 114:4 127:21,24 132:3
140:8 148:14 149:2

teaching 136:1,11

team 163:12,15 164:6 169:25
170:5,10

technical 17:1 132:21 150:20

TECHNICIAN 6:5 68:25 69:4
116:12,16 132:24 133:3
152:15,18 170:24 171:3
197:24 198:3 203:20,24 204:7

technological 27:6,7

tell 9:1 14:13 16:8,10 33:10
47:7 77:18 78:9,15,24 79:12,
19 83:8 87:17 90:23 93:15
98:25 112:9,10 126:8 142:23
143:8 157:24 176:8 184:11
188:6 202:6

telling 51:20 138:15 143:17
145:21

tells 9:5 51:18

temporary 98:12,23 103:1,6
195:7

tendencies 122:25

Teresa 197:1

term 62:18,20 86:7 91:12
137:5 180:19

terminal 44:22

terminals 45:2 201:23

terminated 136:18,19

terms 17:2 150:21 177:15

Terrence 11:14

test 8:7 14:22

testified 7:4 82:10

testify 7:2 77:15 80:16

testimony 63:22

texts 39:17

thanked 175:23 176:14

thing 12:23 40:13 84:7 88:9
91:2 111:14 161:2,8 182:16
188:9 199:12

things 13:5 15:12 27:7 29:12
30:6 31:13 34:5 38:4 42:5
44:15,16 63:18 72:21 75:23,24
76:15 77:4,10,24 79:22 85:6
88:16 92:4 129:3 138:12,23
149:3 175:3 194:5 197:22
199:11,24 203:19

think 10:21 12:24 13:12 14:20
15:10 25:14 31:3,23 38:3,8
45:15 47:5 51:5 57:22 61:3
62:8 74:21 76:10 77:4 80:22
82:17,23 85:1,14 88:16 92:14
93:15,21 94:14 99:7,12,24
100:1 110:2 112:20 113:6
116:9 120:13 123:1,14 134:2
135:16,19,20 141:4 142:20
143:23 146:15,22 147:11,16,
20 149:1,3 157:6 158:15,16
159:13,17 162:21 163:21,22
165:8,9 171:8,17 174:4
177:12,23 180:6,9 181:9 183:5
184:6 189:1 193:4,15,16
199:17 203:18

thinking 43:1 100:21 175:4
178:15

thinks 8:20 53:4

third 106:21 190:19 198:16,18

thought 84:18 90:2 109:25
148:21 182:18 183:20

threatening 89:5

threats 88:22

three 16:16,17 40:8 86:2
185:4 186:6

threshold 95:10

through 8:4 13:24 18:12
24:17 25:8 29:19,20 30:4 34:7
77:4 118:11 121:1 123:1,14
165:15 175:11 195:13

throughout 24:12 29:7 32:11
83:25

tight 184:22

time 8:5,14,22,23 15:15 25:6,9
37:7 40:14 44:6 52:18 54:5,9
60:4,5 68:25 70:4 74:13,21
75:2,17,23 80:4 82:17 84:14
87:7,9,17 88:22 91:17,18,22,
24 94:14 95:12,14 97:21 98:21
99:9 102:7 105:22 108:11
116:12 118:16 119:8,19
123:18 124:19 129:5 132:24
133:8 137:2 139:21 140:12
144:13 147:1 152:15,24
155:12 158:6 162:11 163:25
164:18 167:24 168:19,24
170:9,24 172:6,7,17 173:14
174:24 177:20 185:25 190:18
196:3 197:24 198:11 203:6,20
204:2,8

times 8:2 13:4 27:16 31:12,16
133:24 136:22,24 183:2
203:15

timing 38:3 76:2

tip 80:5

title 11:1 173:17 189:10

titled 28:20 127:13 182:2

titles 10:17 12:2

today 9:12 10:8 20:11 24:12,
16 25:6 27:17 125:20 127:25
154:22 156:14 188:6 196:17

today's 9:19,25 57:24 204:7

together 16:19 41:24 43:1
 95:22 121:8 132:18 151:25
 183:2

told 29:3 33:23 40:20,21 45:6
 46:5 52:2 57:12 76:14,16 83:2,
 9,15 87:11,12 101:12 108:10
 175:7 186:13,15 187:15

Toledo 164:20 165:3,14
 166:17 167:8

tomorrow 100:12

tone 89:5

top 19:11 48:4 150:4 183:11
 189:10 195:6 196:24

tops 86:5,7

tortious 65:19

tortuous 65:15,18

totally 25:12

touch 34:5 165:14

towards 38:2

trade 108:7,10,16 109:9,13,
 16,20 110:1,20 111:1 143:25
 144:1,2,19 145:3 171:18

transcribe 133:17

transcript 36:4,14 49:6

treasurer 11:5

tremendous 21:13

trial 28:21 58:1 106:20 107:18

trip 8:2

TRO 98:23 103:17 193:20
 194:5

trouble 87:15

true 52:6 60:7 81:12 105:14
 131:7 159:1 190:9,13 198:14

trust 61:7 71:21 92:15

trustworthy 51:17 138:18

truth 7:2,3 51:21

truthful 114:16 131:1

Tuesday 6:2,6

turn 25:22 30:5,8 65:10 97:17
 98:4,7 150:3 182:10 198:16
 200:1

turned 134:16

turns 197:2

twenty 153:23

two 11:9,12 12:8 14:4,5 15:7
 16:11 50:16 70:16 78:11 86:1
 121:7 122:20 129:7 137:22
 152:23 174:17 201:18

U

U.S. 65:23 102:24,25

Uh-huh 139:7 149:22 190:7

ultimate 35:19

ultimately 20:9 27:21 92:21
 156:3 191:23

unclear 56:20

under 7:14 51:24 69:8 92:25
 112:16 113:4,8,19 116:20
 144:19 154:7

undergraduate 14:6,13,15

undermine 128:2

undermining 59:5

underneath 19:12 24:6

understand 21:7 62:12 68:11
 105:11 134:6,12 144:21

understanding 21:10,12
 45:14 48:25 49:24 51:24 56:5
 57:11 98:15 133:25

understands 109:24

understood 76:10,11 115:20
 150:22

undisclosed 197:5

undoubtedly 20:24 80:13

unfairly 135:20,22

Uniform 144:19

union 12:19,21,22 13:1 15:9
 16:13,18 17:3 19:3,5,7 31:19
 61:20 85:25 86:2 114:2,5,11
 115:12 116:2 150:10 154:14

unions 15:11 16:15 18:12
 21:14,24 64:23,25 65:7 86:1
 115:16 124:16 125:6 128:2

unique 53:11

United 54:1 65:16

university 14:5,7,8,9 15:4,6,
 16,18 33:8,25 34:10 44:8
 114:6 168:17,18 191:10
 200:10

unknown 186:1

unlawfully 132:2,14

unlawfulness 132:1

unless 9:5 64:2 95:1 96:6
 102:14 117:15 120:25 183:18

unrelated 90:22

untrue 135:2

unusual 46:25

up 7:21 15:12 17:13 21:2 22:9
 25:12 34:20 43:24 72:12 76:5
 82:19 99:7 105:15 112:24
 125:10 132:16 133:14 134:16
 151:23 153:1 157:6,9 165:8,10
 173:19 175:2,22 183:6 193:15
 195:15 196:11 199:11

update 70:13

uphold 156:2

upon 32:23 33:2 59:24 87:20
 143:17

URL 133:8

use 62:20 91:8,9,10 135:7
 148:21 151:7,8,14,17 187:10
 193:19 194:16 202:14

used 62:21 84:11 86:7 91:12,
 25 148:21 151:1,2,5 166:7
 186:25 194:8 196:20 200:16

uses 150:21

using 24:21 37:2 62:18 191:7
 201:9

usually 40:25 70:15 72:17
 128:22

utterly 141:19

V

variety 142:16

various 15:12 34:13,23 199:3

vent.' 74:4
verbal 7:18
verify 179:10
Veritas 6:10 17:14,16 21:3
22:13,23 24:3,7 28:23 52:10,
16,18 54:6,13 70:25 71:2 77:3,
12,20 78:3,17,25 89:15 90:5,7,
10 91:3,5,12 95:25 96:3,10,21
103:2 104:15 105:2,18 106:25
108:17 118:14,16 119:2,21
122:22 123:25 124:14 127:13
129:25 130:1,7,10,13,22,24
131:25 139:9 140:9,14,23
141:12 142:4 143:7 145:25
146:13,20 147:12,18 149:5
154:17 155:16 156:3,7 163:6,
24 164:7 166:13 167:10 168:1
169:13,21 170:4,7,11 175:23
178:2,4 180:5 184:7 189:12
191:13,22 192:18 197:8
Veritas's 25:18
version 51:18 57:24 128:13
versus 28:23 106:25 189:11
vet 71:18 72:1,11 74:7,8,22,23
vetting 72:14 74:11
vice 11:11 12:13,16 19:22
video 6:5 48:16,21 49:12 50:4,
10,15,24 51:19 52:13 59:10,
17,19 61:1,3,16,24 62:1,5,24
63:9,20 64:16,17,21 65:2
66:17 67:3,21,25 68:7,25 69:4
101:21 105:24 116:12,16
127:14 128:1,4,5,6,7,8 132:8,
9,17,24 133:3,6,10,11 134:23,
24 135:1,7,14 136:17,20,25
137:6,8,20 138:3,10,20,21
139:5 148:23,24 149:1,4,7
151:25 152:3,5,15,18 154:24,
25 170:24 171:3 197:24 198:3
203:20,24 204:7
video's 64:24
videoed 51:18
videos 66:17,21 67:2,7 90:11
97:18 137:14,19,23,24 138:2
videotape 155:3,16
videotapes 155:16
view 50:9 51:1,6 89:20 131:12

132:5 133:6,12,17
viewed 59:17 133:23 135:2
violate 54:19 66:23 71:21
violates 156:9
violating 156:4
violation 53:21 65:15,23 66:8
90:14
violations 66:12 113:24
visit 44:5
vita 72:17
volume 134:16
VPS 20:2 21:23 22:6

W

Walbridge 86:13,14
walk 13:23 24:17 28:3 29:19,
20 30:3 57:3
walked 67:19
Walker 26:6,24 40:14 41:23
43:23 44:9 151:5,6,13 171:13
188:10
walking 57:3
wanted 29:3 34:11,14,22 41:4
64:13 75:19 82:25 84:24 85:5
90:15 138:23 140:1 163:6
169:12 171:6 177:21,23 197:1,
15
warrant 130:10
warrants 130:4,7
Washington 14:5
waste 196:3
watch 59:10 132:18 133:11
watched 151:25
watching 50:15 138:19
water 8:6
Wayne 98:16,21 99:1 114:5,7
168:17,18 193:2,3 195:10,17
201:7
ways 17:12 90:23 94:14,22
website 11:18,20 125:10,14

Webster's 131:9
weekend 124:10
weeks 129:7
weigh 23:15
Weingarten 20:25 21:17 23:7
103:3,18 104:7 131:24 192:5
welcoming 30:16
well 8:12 10:12,24 12:6 14:1
15:1 16:12,16 17:8,13 21:16
22:1 37:23,24 38:21,22 42:22
49:20 53:8,9,15 55:11 58:23
60:2 61:16 62:7 63:24 67:3
68:3 74:13,17 76:6 81:10
82:16,18 84:3 85:15 87:19,22
88:14,15 89:25 90:19 91:6,7,
17 92:9,19 93:17 94:4 96:5,24
97:22,23 99:6,24 100:16
103:20 105:3,20 107:9,24
110:6 111:7 112:2 120:20
125:5 128:6,12 129:18 130:8
131:2 132:7 134:8 137:10,22
138:10 141:13 142:8 143:13
145:19 148:18 151:23 155:5
156:11 160:23 173:7 176:4
189:24 191:25 194:4 196:17
202:4 203:3
Wellman 6:12
went 14:4 31:13,17 53:22
75:11 84:25 85:8 103:8 124:8,
23 125:6,7 126:14,16 128:12
129:3 150:13 151:1 154:17
186:21 191:9 199:16
whatsoever 86:1 141:3,23
143:21 147:8
Whitmer 162:6,7,16,22 163:5,
17 164:5 169:12
Whitmer's 163:12,14 164:6
172:5
whole 7:3 86:4
wide 117:24,25
widely 127:25
wife 10:9
willing 34:12
Windsor 22:25
wires 106:4

Wisconsin 14:9 15:6,17,19

wishes 176:5

witness' 135:4

witnesses 28:3 93:18

woman 22:25

women 59:8

wondered 138:22

word 42:25 111:15 120:2
 137:6 138:16 194:11 200:19
 201:1

words 49:21 91:8,9 132:7
 135:8 138:9

work 8:23 10:13 14:10,19
 15:25 16:18 18:19,23 34:12,23
 39:21 40:13,20 41:24 42:4
 70:10 79:5 90:7,16,18 162:15
 188:11 201:14

worked 13:21 15:6,16,19,21,
 24 17:5,9 78:9,16,24 79:21
 80:1 124:18 157:15 162:23
 166:10,18,20 167:4,5 168:14

working 31:9 40:14,21 44:18
 47:20 58:23 61:21 70:4,23
 84:7 118:14 119:15 125:15
 168:21 188:10 201:21

workplace 116:8

works 74:20 127:20,23 153:17
 165:4 173:20 203:12

world 37:13,15 67:9 77:25
 88:21

worry 87:13 88:1,10

worth 155:11

wrap 82:19

write 38:8 139:4

writing 188:13

written 19:13,14 39:15 72:18
 114:13,14 115:18,22 125:17
 134:20,21

wrong 100:2 148:18 200:2

wrote 101:13 139:3

Y

year 31:4 39:24 43:14 50:22
 154:22 162:9

years 14:4,5 15:7,20,23 30:22
 50:16 78:11 136:9 175:1 185:4
 193:8

yesterday 10:4,21 24:14 28:9
 41:10 196:16,20,21,24

yoga 88:16

York 14:7

young 91:21 193:2,3

Youtube 48:19 59:10 61:24
 67:15,21 133:7 151:25